



Government of Puerto Rico
DEPARTMENT OF EDUCATION



**Part B State Annual Performance Report
FFY 2010**

Puerto Rico

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INTRODUCTION

In Puerto Rico, the Puerto Rico Department of Education (PRDE) Office of Special Education (“SAEE” by its Spanish acronym) oversees the management and implementation of the requirements with the Individuals with Disabilities Education Act (“IDEA”) PL 108-446, Part B Program. The PRDE is a unitary system, serving as both the SEA and the sole LEA in Puerto Rico. The PRDE is composed of seven educational regions, with 4 school districts in each educational region (i.e., a total of 28 school districts).

Additionally, PRDE SAEE oversees a total of nine *Centros de Servicio de Educación Especial*, Special Education Service Centers, (‘CSEEs’ by the Spanish acronym). The CSEEs operate at the Regional level and were established to serve as a one-stop shop for assisting students with disabilities and their parents with special education services. From their inception, the CSEEs have offered an array of services for students with disabilities in their parents, beginning with registration, including the evaluation and determination processes, and the coordination of therapy and related services. The CSEEs are located in Arecibo, Bayamón, Caguas, Humacao, Ponce, Mayagüez, Morovis, San German, and San Juan.

In preparation for the FFY 2010 APR, SAEE personnel from the Data Analysis and Compliance Unit, in collaboration with the Data Unit, held a meeting with the CSEE Directors on April 4, 2011, to review the strategies and activity timeline for collecting, validating, and submitting all data for the APR. Also, during the spring and summer of 2011, individual meetings were held with SAEE central level personnel. The Data Analysis and Compliance Unit and the Data Unit received support in these efforts from outside contractors and two federally funded technical assistance providers, the Southeast Regional Resource Center (‘SERRC’) and the Data Accountability Center (‘DAC’). Much of the technical assistances received from SERRC and DAC during FFY 2010 focused on areas of general supervision, including on-site monitoring and correction of non-compliance. DAC has provided concentrated efforts working with the Data Unit to assist the unit in establishing written data verification procedures. Puerto Rico’s FFY 2010 APR demonstrates the results of hard work and dedication sustained over many years to address several areas of compliance under IDEA. In past years, PRDE highlighted its efforts while noting that the results in terms of APR performance would be forthcoming in future years. Now, PRDE can report that its APR performance is finally reflecting the extensive efforts and resulting performance and compliance.

For FFY 2010, PRDE has achieved substantial compliance with all compliance indicators, with actual measurement data for these indicators at/or above 75%. Highlights include PRDE’s maintaining 100% compliance for Indicator 16 (timely issuance of State Complaint decisions) and surpassing the 90% compliance mark for Indicators 11 (timely initial evaluations), 13 (secondary transition goals), and 20 (timely submission of valid and reliable data).

Certain highlights of PRDE SAE's improvement activities during FFY 2010 include the creation and implementation of the Special Education School Facilitator positions, maintenance of taskforces to assist with data validation and overall support at the CSEEs, and the creation of a new information system for tracking requests for assistive technology equipment from requisition through to delivery.

In FFY 2010, PRDE recruited 1,294 School Facilitators to coordinate and support the provision of special education services at the school level. A goal of the School Facilitator position was to bring further support even closer to students and parents. Training was provided to all School Facilitators in the following areas: child find, registration, evaluation, eligibility determination, evaluations, IEP, placement, transportation services, related services, assistive technology, IDEA program requirements, and use of information systems. They served a key role in validating and updating data in PRDE's special education information system. Additionally, the School Facilitators are playing a key role in the PRDE's transitioning the provision of initial evaluations from the CSEEs to the school level. The School Facilitators have already begun to have a positive impact on PRDE SAE's provision of special education services.

Additionally, PRDE SAE held a two-day Administrators Workshop in FFY 2010, a professional development activity that PRDE SAE intends to continue on an annual basis. Over 100 special education personnel participated in the SAE Administrators Workshop, including School Superintendents, Facilitators, Supervisors, CSEE Directors, Central Level Personnel, and members of PRDE's Parents Advisory Committee. Various topics were covered including: General Supervision Components, PRDE Authority and Responsibility for General Supervision, Overview of the State Performance Plan (SPP) and Annual Performance Plan (APR), the Identification and Correction of Non-compliance and, Dispute Resolution.

During the first week of October 2011, the United States Department of Education's Office of Special Education Programs (OSEP) conducted a Continuous Improvement Results verification visit to the PRDE. The last two days of the visit focused on PRDE's results topic, post-secondary outcomes. The results visit included meetings with more than 20 special education stakeholders representing parents and families of students with disabilities, the public vocational rehabilitation agency, universities, business, community development enterprises, and education service agencies. This distinguished group met for 1.5 days to conceptualize a draft strategic plan designed to develop partnerships and collaborations that improve post-secondary options (using OSEP's definition of higher education, competitive employment, postsecondary training and other employment) for youth with disabilities. In order to simplify accountability for results improvement, the scope of the plan was further designed to improve results specifically for Indicator B14.a and B14.b (enrollment in higher education or competitive employment, respectively). The improvement plan is referenced in Indicator 14, and included with this APR submission at **Attachment B**.

In July 2011, SAE held a meeting with stakeholders to review SAE progress over the past year and gather stakeholder feedback on improvement activities in progress and scheduled for the coming academic school year (2011-2012).

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma.

(20 U.S.C. 1416 (a)(3)(A))

Measurement: States must report using the graduation rate calculation and timeline established by the Department under the ESEA.

FFY	Measurable and Rigorous Target
FFY 2010 2009-2010	66.5%

Actual Target Data for FFY 2010 APR (FFY 2009 period): 48.37%

In accordance with the Part B Indicator Measurement Table, data for the year prior to the reporting year is to be examined for Indicator 1. Accordingly, the data used to calculate the actual measurement for the FFY 2010 APR are based on graduation rate data from the 2009-2010 school year.

As reported in past APRs, PRDE requested an extension to the deadline for reporting the four-year graduation rate data required under 34 C.F.R. § 200.19(b)(4)(ii)(a). In response to PRDE's request, a letter was received by July 21, 2009, approving the following: use of a three-year adjusted cohort graduation rate, a one-year extension to report its three-year adjusted cohort graduation rate and to continue using the graduation rate in its current Accountability Workbook as its transitional rate until it can report its three-year adjusted graduation rate in 2011-12. Until 2011-12, PRDE will continue to use the transitional graduation rate as described in the approved PRDE Consolidated State Application Accountability Workbook. This rate is an adaptation of the method recommended by the National Center for Education Statistics. Data were collected from schools in the aggregate, not by individual student, and aggregated up to the state level. An additional aggregation at the school level was the collection for all students, without any subgroup designations. Therefore, the data PRDE reported in the CSPR was an aggregated graduation rate; no disaggregation by subgroup was reported.

Because the CSPR data are not collected by subgroup designations, PRDE again used the 618 Exiting data for reporting on this indicator. PRDE used its Section 618 Data Report, Table 4 *Report of Children with Disabilities Exiting Special Education* as the data source for this indicator. Specifically,

¹ The period at issue under Indicator 1 for the FFY 2010 APR submission is FFY 2009, accordingly, as advised by OSEP, the appropriate Indicator 1 target for the FFY 2010 APR is that listed for FFY 2009 in Puerto Rico's SPP.

PRDE used data from the “All Disabilities” page (Tab 13 of Table 4). Data from Row B (graduated with regular high school diploma) is divided by all exits from school represented in the sum of Tab 13 Rows B, C (“received a certificate”), D (“reached a maximum age”), E (“died”), and G (“dropped out”). PRDE used this data to establish the baseline and targets. The 2009-2010 data is reported below, along with the actual measurement calculation.

Data for 2009-2010:

B. Graduated with regular high school diploma	C. Received a certificate	D. Reached Maximum Age	E. Died	G. Dropped out	(B + C + D + E + G)
1,813	259	104	13	1,559	3,748

Actual Measurement for FFY 2010 Reporting:

B. Graduated with regular high school diploma	Divided by (B + C + D + E + G)	FFY 2010 Actual Target Data
1,813	.48372	48.37%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Data reviews demonstrate that a total of 1,813 students with disabilities graduated from high school with a regular diploma out of the 3,748 students with disabilities who exited during the 2009-2010 school year, resulting in 48.37% as the actual measurement for Indicator 1. This reflects slippage from FFY 2009. Nonetheless, compared to FFY 2009, the data reflects that the total number of students that graduated with a regular high school diploma as well as the number of students who exited with a certificate increased in FFY 2010.

Similar to the situation discussed in the FFY 2009 APR, it is important to note that the FFY 2010 data reflects a significant overall increase in the number of exiting students. As compared to FFY 2009, the FFY 2010 data reflects a 30% increase in the number of students that exited. As described below, PRDE believes this increase is due at least in part to teachers' and schools' increased capacity in using the database system.

The 2009-2010 school year was the third year in which PRDE used the SEASWEB database. PRDE believes that after this third year of using the SEASWEB database, teachers and schools are becoming more diligent in entering data into the database. Additionally during FFY 2010, PRDE developed verification procedures for the database. During October 2010, to ensure continuous improvement under IDEA Part B requirements, PRDE recruited 1,294 School Facilitators to coordinate and support special education program requirements at the school level, which has also contributed to ensuring more accurate and valid data. The School Facilitators located at the school level assist in carrying out the verification procedures for data entered at the school level. As a result of such efforts, the database is steadily reflecting a more accurate count of students exiting special education.

PRDE requires 19 credits to graduate with a regular high school diploma. This requirement is the same for students with disabilities.

The following chart provides a summary discussion of the improvement activities undertaken during 2010-2011.

Activities	Discussion on improvement activities completed
<p>1. Maintaining special education support, placement options, streamlined procedures, transition planning available to IEP students in high school as a means of working to maintain a high graduation rate.</p>	<p>PRDE is continuing these efforts. More emphasis has been placed in the identification of appropriate placement where the students benefit from peer interaction, courses of study and other areas regarding their preferences and interest after each student's transition assessment.</p> <p>PRDE SAEI participated in a committee of the Governor focused on strengthening interagency coordination to promote services for the special education community including children with disabilities.</p>
<p>2. Maintaining special education support, professional development, technical assistance available to high school teachers and other personnel.</p>	<p>PRDE is continuing these efforts. During FFY 2010, the Technical Assistance (TA) Unit held a series of trainings and technical assistance visits for Special Education District Facilitator regarding the cluster of Indicators 1, 2, 13 and 14. The TA Unit developed these training and technical assistance sessions to address areas of concern identified by the Monitoring and Compliance Unit as a result of their review of the district self-assessment and on-site monitoring visits.</p> <p>This is a continuous activity.</p>
<p>3. Continue to monitor graduation rates and foster retention in schools.</p>	<p>PRDE has continued tracking its graduation rates and fostering retention in schools. PRDE has placed Transition Coordinators at the regional level, which has led to more effective collaboration between Professional School Counselors and School Directors regarding the inclusion and participation of special education students in school activities. Also, the provision of alternatives such as team teaching in regular classrooms, giving credits for resource room attendance, assuring accommodation provisions, and regular teachers and counselor interviews with the students will help student's retention to obtain a high school diploma as a goal.</p> <p>PRDE is working on the graduation rate and has set a first cohort of students for 2009-2010 who will graduate in 2012. Special education students have been included in this cohort as part of the process. Having identified these students in advance aids teachers and coordinators in tracking and monitoring their status year by year leading to the opportunity to provide additional activities and necessary support to reach the final goal.</p>

Activities	Discussion on improvement activities completed
<p>4. Evaluate Table 4 data collection methods and participate in activities to help ensure reliable data collection; continue data validation activities.</p>	<p>Technical Assistance received by DAC remains ongoing to assure successful completion of this task. Trials of reporting for secondary transition and exiting have been done with satisfactory results in obtaining direct data from the system.</p> <p>In FFY 2010, PRDE SAEI continued its efforts in data exchange amongst all existing applications to ensure consistency and complete data for all special education students.</p>
<p>5. Explore and develop activities regarding alternatives for students' school retention and to promote improved graduation rates.</p>	<p>Monthly meetings with Transition Coordinators generate common activities to share with the teachers and provide ideas to school communities for student retention and improving graduation rates. The inclusion of students with disabilities in career fairs, on-site visits, school programs (such as Juvenile Organizations, School Clubs, and similar programs where they join their peers), as well as initiatives like students with disabilities receiving academic credit for special education resource room attendance and promoting students with disabilities direct participation in their IEP revision, among other items, have contributed to better outcomes for school retention. This activity is complete but monthly transition meetings will continue in order to further discuss these areas.</p>
<p>6. Training in graduation rate PRDE new policy.</p>	<p>PRDE held a training regarding the revised graduation policy.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school.

(20 U.S.C. 1416 (a)(3)(A))

Measurement: States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA.
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FFY	Measurable and Rigorous Target
FFY 2009 ² 2009-2010 ²	22.5%

Actual Target Data for FFY 2010 APR (FFY 2009 period): 41.59%

In accordance with the Part B Indicator Measurement Table, data for the year prior to the reporting year is to be examined for Indicator 2. Accordingly, the data used to calculate the actual measurement for the FFY 2010 APR is based on graduation rate data from the 2009-2010 school year.

This indicator requires the SEA to report the percent of youth with IEPs reported as exiting from special education because of dropping out of high school. In the FFY 2006 APR, Puerto Rico established its baseline and its annual measurable and rigorous targets based on this approach to Indicator 2. PRDE defines “dropping out” for students with IEPs as students who leave school prior to completing the academic program, which is consistent with the definition used in the Section 618 data report. Specifically, “dropped out” means a student or school-age youth leaves school without achieving an orderly administrative procedure to disengage from the education system. This definition is the same for students with disabilities.

As noted in Indicator 1, PRDE is collecting aggregated data using the graduation rate established in the Puerto Rico’s Accountability Workbook. PRDE uses its Section 618 Data Report, Table 4 Report of Children with Disabilities Exiting Special Education as the data source for this indicator. Specifically, PRDE uses data from the “All Disabilities” page (Tab 13 of Table 4). Data from Row G (“dropped out”) is divided by the total sum of the data from Rows B (“graduated with regular high school diploma”), C (“received a certificate”), D (“reached a maximum age”), E (“died”), and G (“dropped out”).

The 2009-2010 data is reported below, along with the actual measurement calculation.

² The period at issue under Indicator 2 for the FFY 2010 APR submission is FFY 2009, accordingly, as advised by OSEP, the appropriate Indicator 2 target for the FFY 2010 APR is that listed for FFY 2009 in Puerto Rico’s SPP.

Data for 2009-2010:

B. Graduated with regular high school diploma	C. Received a certificate	D. Reached Maximum Age	E. Died	G. Dropped out	(B + C + D + E + G)
1,813	259	104	13	1,559	3,748

Actual Measurement for FFY 2010 Reporting:

G. Dropped Out	Divided by (B + C + D + E + G)	FFY 2010 Actual Data
1,559	0.41595	41.59%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Data reviews demonstrate that a total of 1,559 students dropped out from high school. Applying the calculation, PRDE's drop-out rate for 2009-2010 is 41.59%, which represents an increase from the 2008-2009 actual data, which reflected a drop-out rate of 32.95%.

To coordinate and support special education program requirements at the school level resulting in more accurate and valid data, PRDE recruited 1,294 School Facilitators. As anticipated in APR 2009 PRDE developed data verification procedures for the database with the School Facilitator located at the school level. The SAEED Data Manager established as a policy (on-going) to develop monthly reports from the data system and send them to the School Superintendents, CSEE Directors and their Information System Technicians to verify and validate the data. These personnel then follow-up with the School Facilitators located at the school level.

Reasons for students making the decision to exit the regular diploma program vary from the need to work for independence or economic situation, school apathy, or a desire for less rigorous academic challenges. Students who qualified as "dropping out" under this definition include students who are leaving the system or their placements in order to engage in other academic alternatives to complete high school graduation requirements—just not with a regular diploma or certificate.

Many PRDE special education students included as having "dropped out" actually enrolled in the adult education program and CASA program, which are alternatives provided by PRDE that allow students to obtain a diploma that is sufficient to allow them to enroll in universities and/or find jobs. For 2009-2010, the adult education program enrolled approximately 300 students with IEPs who dropped out of school. Also, 196 students were referred to the Management Training for Employers and Future Employees (referred to as AAFET, by its Spanish acronym in Spanish), a private vocational program contracted by SAEED. AAFET provides training to young people from the ages of 16 years and above who have left the formal education system and are unemployed. These trainings prepare them to develop their skills in different vocational trades so they can achieve and maintain employment and / or establish their own business. Courses are offered in various categories of manufacturing, engineering, construction and service, which have an emphasis on labor market demands. If this category of students did not count as drop outs, this might significantly improve PRDE's Actual Measurement for this Indicator.

Other students are opting to leave special education, looking for fast track programs that help the students to obtain, in one or two years, a high school diploma with the same PRDE regulations but curricular modifications emphasizing their needs and targeting the development of necessary skills approved by the College Board for University or College admission.

PRDE has continued with the development of several alternatives to work as prevention measures. These include:

- Referrals to private sector organizations - when a student is identified as at risk to drop out of school, to assist with preventing the student from dropping out, PRDE refers the student to the private sector for counseling services and other positive intervention initiatives that help with retention. Many of these private sector organizations also have programs to work with students in the event they do drop out to ensure students continue their education through another avenue or find work, etc. (e.g., Sor Isolina Centers, Aspira).
- Proyecto Casa (ASPIRA) - provides an educational center for students to complete their academic and vocational studies in a minimum amount of time with the purpose of incorporating these students into the community, integrating them in the working world, and allowing the students to continue post-secondary studies. This project exists in all seven of the PRDE regions.
- Learn and Serve of America - is an alternative to provide students at risk an opportunity to help others such as children in hospitals, homeless individuals, and the elderly during their free time after school hours and/or over the weekend.
- Grade placement tests - are given to students that have been failing for three years in the same grade and students whose ages do not correspond to the appropriate age for their grade. If a student passes this test, the student will be placed in the appropriate grade—which can help with esteem and motivation.
- The PRDE Training and School Counseling Program sponsors various projects to strengthen student retention, including³:
 - Proyecto Conoce, Explora, Participa y Actúa (CPA) - this project, which is held in collaboration with the College Board serves seventh grade special education students. Students are evaluated for drop-out risk indicators and workshops and other interventions are held to help address drop-out risk concerns.
 - Programa Centro Evaluación Ocupacional (CREO) - intermediate and high school students are evaluated for indicators related to study habits as well as emotional and occupational issues. This initiative implements strategies for students that are placed in contained classrooms.
 - Aprendiendo a Estudiar con Amor - this strategy aims to improve parental and teacher involvement in assisting students aged kindergarten through third grade to develop positive attitudes towards studying and school. This is a motivational educational strategy that employs music and written exercises.
 - Career Education Responsive to Every Student (CERER) - this integrated curriculum program educates students aged kindergarten through sixth grade on career opportunities in the working world. The program encourages students to explore career options to get them thinking about transition from school into business and other opportunities.
 - Modelo Curricular de Prevención Integrado al Currículo Académico de Nivel Elemental e Intermedio - this model aids in preventing drop-out and is implemented from kindergarten through twelfth grade. This model was developed to modify student knowledge, attitudes, and conduct.

³ <http://www.de.gobierno.pr/tags/orientacion-y-consejeria>

- Escuela Para Padres – this is a capacity building opportunity for parents to learn strategies on a variety of themes including study habits, bullying, sexuality, drop-out, and childrearing.

In addition to the efforts and programs discussed above, PRDE held many additional activities related to drop-out prevention including:

- Programa de Educación Comunal de Entrega y Servicios (PECES) – this activity consisted of a series of workshops in the Humacao region for students ages 9-18 regarding pregnancy prevention and drop-out prevention. These workshops were offered during the spring and summer of 2011.
- Marcha “Dá la batalla quédate en la escuela” – PRDE conducted a march for students in intermediate and high school during April 2011 in the Arecibo region to promote staying in school. The concept for this march was initiated by a high school student from the town of Florida, PR.

The following chart provides a summary discussion of the improvement activities under taken during 2010-2011.

Activities	Discussion of improvement activities completed
1. Increase special education support available for high school students.	PRDE and the School Counseling Program have undertaken efforts regarding preventative activities to support high school students which include special education students. See activities discussed above.
2. Increase special education support for teachers and other high school personnel.	PRDE is continuing these efforts. During FFY 2010, the Technical Assistance (TA) Unit held trainings and technical assistance visits for special education teachers and school directors regarding the cluster of Indicators 1, 2, 13 and 14. The TA Unit developed these training and technical assistance sessions to address areas of concern identified by the Monitoring and Compliance Unit as a result of their review of the district self-assessment and on-site monitoring visits.
3. Target in and provide support to districts that are reporting higher numbers of students dropping out of high school.	PRDE SAE is continuing these efforts. PRDE has undertaken efforts regarding preventative activities to provide support to school districts high risk population students, including the School Counseling Program as discussed above.

Activities	Discussion of improvement activities completed
<p>4. Continue to collect and validate dropout data for IEP students.</p>	<p>PRDE collects this data based on child count for exiting table. This table includes all the possible reasons for exiting. The SIS collects information regarding the student status at the end of the year. After the conclusion of matching the SEASWeb and SIS data, PRDE will validate and share dropout data using the dropout data used in the ESEA graduation rate calculation and follow the timeline by the Department under ESEA agreements and approvals for PRDE.</p> <p>DAC continues assisting SAEE and the SEASWeb data manager in order to make sure it is well suited to assist with the forms and tables required by OSEP for reporting.</p> <p>PRDE is continuing these efforts. See activities discussed above.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 3: Participation and performance of children with IEPs on statewide assessments:

- A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup. Puerto Rico is a unitary system, thus part A is not applicable to PRDE.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

- | |
|--|
| <p>A. AYP percent = [(# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State's minimum "n" size)] times 100.</p> <p>B. Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.</p> <p>C. Proficiency rate percent = [(# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].</p> |
|--|

FFY	Measurable and Rigorous Target
FFY 2010 (2010-2011)	<p><u>INDICATOR 3B:</u> Maintain Baseline (98.73% for Spanish, 98.44% for Math)</p> <p><u>INDICATOR 3C:</u> Increase to 25% for Spanish and 20.75% for Math</p>

Actual Target Data for FFY 2010 (2010-2011):

	Spanish	Math
3B, Participation	98.73%	98.81%
3C, Proficiency	29.54%	23.23%

The publicly reported statewide assessment data for FFY 2010 results for 3b and 3c can be viewed on-line at: <http://www.de.gobierno.pr/que-se-mide-en-las-pruebas-anales> [http:// de. gobierno. pr/ que- se- mide- en- las- pruebas- anuales](http://de.gobierno.pr/que-se-mide-en-las-pruebas-anales)

The data source used for this indicator is the data used for accountability reporting under Title I of the ESEA. Table 6 for the 618 data collection for the participation and performance of students with disabilities on State Assessments submitted as EDEN-only.

Actual Target Data and Measurement for Part B, Participation, for FFY 2010:

Data Year and Examination	a. # of children with IEPs in grades assessed	b. # of children with IEPs in RA with no accomm.	c. # of children with IEPs in RA with accomm.	d. # of children with IEPs in AA against GLS	e. # of children with IEPs in AA against AAS	Measurement [[(b + c + d + e) / a] x 100]
2010-2011 Spanish Participation	60,384	8,584	48,808	0	2,227	<u>98.73%</u>
2010-2011 Math Participation	60,384	8,590	48,853	0	2,223	<u>98.81%</u>

Actual Target Data and Measurement for Part C, Proficiency, for FFY 2010:

Data Year and Examination	a. # of children with IEPs in grades assessed	b. # of children with IEPs in grades assessed who are proficient or above as measured by the RA with no accomm.	c. # of children with IEPs in grades assessed who are proficient or above as measured by the RA with accomm.	d. # of children with IEPs in grades assessed who are proficient or above as measured by the AA against GLS	e. # of children with IEPs in grades assessed who are proficient or above as measured by the AA against AAS	Measurement [[(b + c + d + e) / a] x 100]
2010-2011, Spanish Proficiency	60,384	2,476	14,696	0	666	<u>29.54%</u>
2010-2011, Math Proficiency	60,384	1,827	11,529	0	673	<u>23.23%</u>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

PRDE administered its regular and alternate assessment island wide for the 2010-2011 school years during April 1-8, 2011. The tests are known as the Pruebas Puertorriqueñas de Aprovechamiento Académico (PPAA) and the Pruebas Puertorriqueñas de Evaluación Alterna (PPEA). The PPEA is the AA-AAS administered to students with significant cognitive disabilities.

The state assessment system ensures the participation of students in grades 3-8 and 11 in Spanish, Math, and English as a Second Language as well as in Science for students in grades 4, 8 and 11. Students with IEPs may participate in the PPAA with or without accommodations or in the PPEA based on what is appropriate pursuant to the child's IEP.

PRDE revised its content standards and grade level expectations during the 2007-2008 school year. The learning expectations were rigorous and clearly defined for each grader. The PPAA and PPEA were revised for the 2008-2009 assessment administration and were aligned to the 2007-2008 content standards and grade level expectations. The PPAA is composed of multiple choice and constructed response items. The mathematics tests contain grid-in items. Prior to the 2008-2009 administration, the PPAA test was composed exclusively of multiple choice items.

The PPEA represents a multi-disciplinary approach to assessing student learning and providing access to grade-level learning standards and varied opportunities to learn. A strength of the PPEA is its flexibility in teacher-designed assessment tasks to meet the individual needs of students with significant cognitive disabilities. The following statements clarify the PPEA's design method:

- PRDE has employed a development process to create strongly linked standards/PPEA entry targets that are academic and grade referenced. This has resulted in the overall system being organized by grade level and content strands that are consistent with general education PPAA content and content strands.
- The approach of organizing the targeted content of PPEA entry targets with multiple subparts for data collection allows for breaking down larger grade-level expectations into smaller, measurable objectives, even though teachers are guided to "bundle" the subparts for meaningful instruction. The strategy of bundling entry targets for instruction attempts to avoid instruction that is disjointed or does not measure progress in small enough increments to be meaningful for students. Intentional bundling encourages teachers and students to make connections between and among the content of entry targets.

PRDE met its FFY 2010 participation targets and demonstrated increased participation compared to last year. Actual percentages are shown in the following table. As reflected therein, the data for 2010-2011 assessments demonstrates an increase in participation for both Spanish (.53%) and Math (.50%) as compared to the FFY 2009 assessment. Island wide, a total of 60,384 students with IEPs in the grades assessed (3-8 and 11) participated in the Spanish and in the Math PPAA and PPEA 2010-2011 assessments.

COMPARISON OF FFY 2010 PARTICIPATION ACTUAL DATA TO PRIOR YEARS							
Subject	FFY 2004	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010
PARTICIPATION: Spanish	97.76%	98.73%	95.52%	98.59%	98.30%	98.20%	98.73%
PARTICIPATION: Math	97.69%	98.44%	96.99%	98.43%	98.01%	98.31%	98.81%

PRDE also met its FFY 2010 proficiency targets. PRDE exceeded its Spanish proficiency target (25%) by 4.54% and its Math proficiency target (20.75%) by nearly 2.5%. These were improved proficiency results from FFY 2009, as reflected in the table below.

COMPARISON OF FFY 2009 PERFORMANCE TO PRIOR YEARS SINCE REVISING THE BASELINE			
Subject	FFY 2008 (Baseline)	FFY 2009	FFY 2010
PERFORMANCE: Spanish	24.27%	26.81%	29.54%
PERFORMANCE: Math	19.30%	22.20%	23.23%

PRDE held various meetings to provide training and dissemination activities related to the PPAA and PPEA. PRDE also ensured that the process of administering the PPAA and PPEA was held effectively and in an organized matter.

During 2010-2011, PRDE established and implemented a new initiative entitled “Aprendiendo desde Otras Perspectivas” (“Learning from Other Perspectives”) in order to strengthen academic skills of students attending schools in improvement. Through the combination of audiovisual resources, instructional modules, and pictorial works of art, teachers and students explored new learning strategies.

In addition, PRDE continued the practice established in 2010-2011 of providing informational booklets to familiarize educators, parents and students in Puerto Rico with the PPAA tests. The booklets provided helpful explanations that enabled the students to get a comprehensive grasp of the tests. The PPEA teachers’ guide was also revised to provide teachers with a clearer understanding of standards based instruction for the alternate assessment for children with significant cognitive disabilities.

PRDE, through its work with Pearson, offered technical assistance to special education teachers who had students participating in the PPEA to help them develop and manage the student portfolios. During this training, teachers were provided with two tools: 1.) The Resources Guide, which contains the activities and the standards to be implemented for the student and 2.) The Teachers’ Guide, which includes the actual template forms to be used for administering the assessments.

PRDE scheduled and conducted onsite monitoring visits throughout the schools island wide before, during, and after the test administration period. The process of monitoring for PPEA included supervision of the process, monitoring of security regulations and the use and availability of resources like the teachers’ guide, resource guide and portfolio distribution, among others. Also, PRDE reviewed a sample of the files of students who participated in the PPEA to determine whether the procedural safeguards and the Criteria Guide were complied with, including and if there was evidence of the orientation given to parents regarding the participation of their children in the PPEA/PPAA.

PRDE continued its on-going activity of providing professional development for teaching to the grade level standards and best practices island wide. Trainings were held at the regional/district levels with teachers and Spanish, Math, ESL and Science content area experts. Professional development and technical assistance opportunities were provided to support general and special education teachers. A resource guide for teaching to grade level expectations for special education teachers was developed and has been posted on the department’s website.⁴ Follow-up training on the use of accommodations for students with disabilities were also provided at the regional and district level.

The SAEE participated in the committee responsible for handling AYP appeals. This participation was important as it allowed SAEE to describe the educational needs of our program to assure that reasonable accommodations were applied adequately and for computing the academic index for the students.

⁴ <http://www.de.gobierno.pr/ppaa>

PRDE has included in the SIS system the assessment options available for students with IEPs and used it to obtain the data for FFY 2010. PRDE continues to develop its Student Information System (SIS) and data validation process for tracking student participation. Data entry and data review processes take place continuously. Schools have successfully enrolled their students in the SIS and continue to update changes in their enrollments.

The following chart provides a summary discussion of the improvement activities under taken during 2010-2011.

Activities	Discussion
1. Support personnel development for the teaching methodologies, teaching to grade level standards, and teaching best practices	See discussion above. PRDE continues with this effort.
2. Increase technical assistance and support to regular and special education teachers and service providers on teaching strategies and methodologies	See discussion above. PRDE continues to provide technical assistance and support to general and special education teachers and service providers on teaching strategies and methodologies.
3. Continue TA for regular and special education teachers on the use of accommodations for students with disabilities	The technical assistance and professional development for teachers included the use of accommodations for students with disabilities. PRDE will continue with this effort.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

- A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Measurement:

- A. Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.
- B. Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100.

Include State's definition of "significant discrepancy."

FFY	Measurable and Rigorous Target
FFY 2010 (2010-2011)	.001%

Actual Target Data for FFY 2010: .0008%**Indicator 4 (a)**

In accordance with the Part B Indicator Measurement Table, data for the year prior to the reporting year is to be examined for Indicator 4. Accordingly, the data used to calculate the actual measurement for the FFY 2010 APR is based on graduation rate data from the 2009-2010 school year and the FFY 2009 Child Count (Table 1).

For 2009-2010, the Report of Children with Disabilities Subject to Disciplinary Removal (618 data, Table 5) shows that 1 student was removed or suspended/expelled for more than 10 days (Section A, Column 3B). This represents **.0008%** (1/121,059) of the total students based on the 2009-2010 child count report. PRDE met its target of .001% for this indicator.

This was the second year in which SAE collected data for Indicator 4 using a web-based application to collect the suspension rates of students with IEPs. This application was designed specifically to account for IDEA requirements. In April 2010, the Monitoring & Compliance Unit, in cooperation with the IDEA Data Manager, held a meeting with the CSEE Directors to discuss the data collection and validation process work plan for the FFY 2010-2011. This work plan was designed to ensure a timely process for collecting and validating data and included specific due dates for entry into the web-based application. The CSEE Directors were designated as the official liaisons to the District Superintendents and School Facilitators. After data reports are submitted through the system, the PRDE Planning Unit reviews the data.

The Planning Unit of the PRDE validates the reports, ensuring all schools submitted the necessary data to complete the exiting report. The Island-wide report is then completed and submitted as part of the Section 618 data – Table 5, Section A, Columns 3A, 3B, 3C, Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for more than 10 Days of the Annual Report of Children Served.

Discussion of Improvement Activities Completed and Explanation of Progress for FFY 2010:

PRDE provides ongoing training to their personnel on disciplinary requirements, including how and when to apply the discipline procedures observing the IDEA requirements. Trainings are provided to general and special education teachers, school directors, and special education supervisors. Additionally, the Technical Assistance Unit provides individualized trainings to districts, facilitators, and teachers based on their unique needs.

In an effort to ensure discipline data collected for Table 5 is valid and reliable, PRDE SAE issued a communication to personnel defining disciplinary measures, behavior and behavioral actions in accordance with IDEA. The letter reviewed the instructions for collecting suspension data and included a glossary with definitions for key terms such as suspension and disciplinary measures.

The following chart provides a summary discussion of the improvement activities under taken during 2010-2011.

Activity	Discussion
1. Personnel training for the use of the manual for positive behavior supports and functional behavior analysis	These trainings helped personnel to understand how to develop a functional behavior assessment. PRDE provided training through a contract with the University of Puerto Rico Central Administration on a variety of topics, including disciplinary procedures for special education students, functional behavior analysis, and behavioral intervention plans. These activities will continue in an ongoing basis.
2. Continue to support regular and special education teachers in the use of best practices for discipline procedures.	The Technical Assistance Unit provides trainings for general and special education teachers, school directors, and facilitators. District facilitators for special education provide follow-up regarding discipline procedures, including the review of IEPs and the use of procedural safeguards regarding behavioral interventions. These activities will continue in an ongoing basis.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with IEPs aged 6 through 21 served:

- A. Inside the regular class 80% or more of the day;
- B. Inside the regular class less than 40% of the day; and
- C. In separate schools, residential facilities, or homebound/hospital placements.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

- A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

FFY	Measurable and Rigorous Target
2010	<p>Special education students who spent less than 21% of the day outside regular class = 75%</p> <p>Special education students who spent greater than 60% of the day outside regular class= 14%</p> <p>Special education students placed in private/public separate schools; residential institutions; placed in hospitals and homebound = 1.29%</p>

Actual Target Data for FY 2010: A) 80.736 %; B) 8.105 %; C) 3.21.80 %

PRDE collects data on students' placements for the 618 data submission from the SEASWEB database. The data reported for this indicator are taken from Table 3, IDEA Implementation of FAPE requirements. The following table reflects the raw data and measurement calculations leading to the FFY 2010 actual target data reflected above.

a. Total Child Count	b. IEP students removed from the regular class less than 21% of the day		c. IEP students removed from the regular class greater than 60% of the day		d. IEP students served in separate schools, residential facilities, or homebound/hospital placements	
	#	% (b/a)	#	% (c/a)	#	% (d/a)
112,602	90,897	80.72%	9,112	8.09%	3,6012,046	3.24.82%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2010:

PRDE met its FFY 2010 targets for 5A and 5B of this indicator. As compared to FFY 2009 data, PRDE showed improvement with parts 5A and 5B all three parts, but not party 5C, of this indicator. The data for indicator 5A shows an increase of 1.406 percentage points, exceeding the target by 5.736 percentage points. As for indicator 5B, PRDE improved by 1.2 percentage points, exceeding the target by nearly 65.95 percentage points. Regarding 5C, PRDE data shows an increase in the percentage of students in separate schools, residential facilities, or homebound/hospital placements improvement of 0.44 percentage points as compared to FFY 2009, missing its target for 5C by only 0.521.9 percentage points. To validate the accuracy of the data for this indicator PRDE generated continuous data reports that were sent to the Regional Facilitators, CSEE Directors, and the School Facilitators. These personnel were then responsible for verifying the placement data and making any necessary updates in the SEASWEB system.

The following chart provides a summary discussion of the improvement activities undertaken during 2010-2011. PRDE will continue with these activities in 2011-2012.

Activity	Discussion
1. Include training to regular teachers and personnel as part of the Statewide Personnel Development System.	PRDE shared its proposed training activities with regular teachers and personnel to gain their feedback as to the training and technical assistance topics. Trainings were provided from the Technical Assistance (TA) Unit in January and April 2011. These trainings covered areas for teachers, Regional Facilitators, and School Facilitators regarding accommodations, equitable services for students with disabilities, development of IEPs, post-secondary transition, strategies for teaching special education students in an inclusive classroom, and other topics related to specific disabilities. PRDE will continue this effort.
2. Include training for special education teachers and staff as part of the Statewide Personnel Development System.	See discussion in #1 above.
3. Continue to monitor provision of appropriate special education services in schools.	The TA Unit provides support to teachers and school personnel after the Monitoring and Compliance Unit (MCU) identifies concerns in the provision of FAPE. The TA Unit also provides support based on information received from other aspects of SAEE's generally supervision system, including the State Complaint and Due Process components. PRDE will

Activity	Discussion
	continue this activity.
<p>4. Increase special education support to students; accommodations, modifications, materials, equipment, assistive technology and related services.</p>	<p>During the last quarter of 2010, improvements were developed in PRDE's financial system ('SIFDE' by its acronym in Spanish) to provide a field that would allow student identification recording within each AT purchase request. This field now allows PRDE SAE to better track and monitor the status of AT equipment orders from the time of requisition to actual delivery of the equipment. This also enhances PRDE SAE communication with the PRDE Procurement Office to ensure timely purchase and delivery of equipment. Relevant CSEE personnel were trained on the new process to ensure that student identification numbers are recorded in each of the AT purchase requests.</p> <p>At the school level, the School Facilitator is in charge of supporting the school personnel, including providing support to students regarding accommodations and modifications. Regarding assistive technology equipment, the School Facilitator has the responsibility of purchasing this equipment directly from the school through the SIFDE system or with the PCARDS. This makes the process more accessible for the parents and students.</p> <p>The District Facilitators are responsible for making on-site visits to schools to provide technical assistance, as requested.</p> <p>PRDE conducted an island-wide needs study to identify specialized materials and items to enhance its educational settings for students with disabilities, including self-contained classrooms and classrooms that focus work on children with autism. The needs study identified materials and equipment for PRDE to enhance its provision of services.</p> <p>PRDE will continue this effort.</p>
<p>5. Increase special education support to personnel; technical assistance, consultations, best practices information dissemination.</p>	<p>This is a continuous and on-going activity.</p> <p>Also see discussion in #1 above.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

NO REPORTING REQUIRED FOR FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 6: Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

- A. Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.
- B. Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

FFY	Measurable and Rigorous Target
FFY 2010 2010-2011	(Insert Measurable and Rigorous Target.)

Actual Target Data for FFY 2010: N/A

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010: N/A

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

Outcomes:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

- a. Percent of preschool children who did not improve functioning = $\left[\frac{\text{(\# of preschool children who did not improve functioning)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = $\left[\frac{\text{(\# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = $\left[\frac{\text{(\# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = $\left[\frac{\text{(\# of preschool children who improved functioning to reach a level comparable to same-aged peers)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = $\left[\frac{\text{(\# of preschool children who maintained functioning at a level comparable to same-aged peers)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$

Summary Statements for Each of the Three Outcomes (use for FFY 2010-2011 reporting):

Summary Statement 1: Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

Measurement for Summary Statement 1:

Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.

Summary Statement 2: The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

Measurement for Summary Statement 2: Percent = # of preschool children reported in progress category (d) plus [# of preschool children reported in progress category (e) divided by the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)] times 100.

Measurable and Rigorous Target and Actual Target Data for FFY 2010:Targets and Actual Data for Preschool Children Exiting in FFY 2010 (2010-2011)

Summary Statements	Target FFY 2010 (% and children)	Actual FFY 2010 (% and # children)
Outcome A: Positive social-emotional skills (including social relationships)		
1. Of those children who entered the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they exited the program	95.00%	90.50%
2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program	56.50%	62.52%
Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)		
1. Of those children who entered the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they exited the program	90.10%	87.97%
2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program	49.20%	58.14%

Outcome C: Use of appropriate behaviors to meet their needs		
1. Of those children who entered the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they exited the program	95.90%	92.99%
2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program	76.70%	73.37%

Progress Data for Preschool Children FFY 2010

A. Positive social-emotional skills (including social relationships):	Number of children	% of children
a. Percent of children who did not improve functioning	19	0.9%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	188	8.5%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	622	28.1%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	1,350	61.0%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	33	1.5%
Total	N= 2,212	100%
B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):	Number of children	% of children
a. Percent of children who did not improve functioning	28	1.3%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	235	10.6%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	663	30.0%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	1,261	57.0%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	25	1.1%
Total	N= 2,212	100%

C. Use of appropriate behaviors to meet their needs:	Number of children	% of children
a. Percent of children who did not improve functioning	15	0.7%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	137	6.2%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	437	19.8%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	1,580	71.4%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	43	1.9%
Total	N= 2,212	100%

Overview of Issue/Description of System or Process:

As discussed in Puerto Rico's SPP, all children ages 3 through 5, upon receiving special education services for the first time, are included in the data collection process for Indicator 7. This process begins by completing the *Resumen de Resultados de la Intervención con el Niño(a) Preescolar* (a translation of ECO's COSF). When the child exits preschool services, after having received services for more than six months, exit data is gathered using the same document (again, the *Resumen de Resultados de la Intervención con el Niño(a) Preescolar*) to determine the child's outcomes in accordance with this indicator's measurement.

To improve the data collection process for this indicator, SAEE provides each CSEE with the list of students with disabilities who exited the preschool program during FFY 2010 from its SEAS Web data system. The CSEEs then validated their lists and gathered the required information for the exiting students for submission to SAEE central level.

The CSEEs were responsible for submitting the summary forms for their students to the SAEE central level, where the data was tabulated and analyzed by staff in the SAEE Technical Assistance (TA) Unit. Because PRDE uses the ECO COSF, the criteria for defining 'comparable to same-aged peers' has been defined as a child who has been assigned a core of 6 or 7 on the survey.

During December 2010, the TA Unit held trainings for special education teachers regarding the use and proper completion of the *Resumen de Resultados de la Intervención con el Niño(a) Preescolar*.

Actual Target Data Discussion for (FFY 2010):

A. Positive social-emotional skills (including social relationships)

Summary Statement 1: During FFY 2010, 90.50% of those children who entered the program below age expectations in positive socio-emotional skills (including social relationships) substantially increased their rate of growth in positive socio-emotional skills by the time they exited. Data compared from FFY 2009 (86.1%) showed progress (an increase of 4.4 percentage points) but did not meet the FFY 2010 target (95%).

Summary Statement 2: During FFY 2010, 62.52% of children who were functioning within age expectations in positive social-emotional skills by the time they exited. The State exceeded its FFY 2010 target (56.5%) but showed slippage (-6.88 percentage points) compared to the FFY 2009 data (69.4%).

B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy)

Summary Statement 1: During FFY 2010, 87.97% of those children who entered the program below age expectations in acquiring and using knowledge and skills substantially increased their rate of growth in acquiring and using knowledge and skills by the time they exited. Data compared to FFY 2009 (82.2%) showed progress (in an increase of 5.77 percentage points) but just missed the FFY 2010 target (90.1%).

Summary Statement 2: During FFY 2010, 58.14% of children were functioning within age expectations in acquiring and using knowledge and skills by the time they exited. The State exceeded its FFY 2010 target (49.2%) and showed progress (in an increase of 3.14 percentage points) compared to the FFY 2009 data (55%).

C. Use of appropriate behaviors to meet their needs

Summary Statement 1: During FFY 2010, 92.99% of those children who entered the program below age expectations in taking appropriate action to meet needs substantially increased their rate of growth taking appropriate action to meet needs by the time they exited. Data compared to FFY 2009 (85.6%) showed progress (in an increase of 7.39 percentage points) but just missed the FFY 2010 target (95.9%).

Summary Statement 2: During FFY 2010, 73.37% of children were functioning within age expectations in taking appropriate action to meet needs by the time they exited. Data compared to FFY 2009 (69.4%) showed progress (in an increase of 12.22 percentage points) but just missed the FFY 2010 target (76.7%).

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

The following chart provides information on the accomplishments, progress, of the activities proposed in the SPP for the implementation of this indicator.

Improvement Activities	Discussion
1. Develop and implement strategies (memos, follow up calls, on site visits) to increase students matching between Special Education Information System(SEASWEB) of exited students and the Outcomes Summary Format Results received from preschool children as exiting preschool services	SEASWEB includes preschool children. PRDE identifies all preschool children from the ages of 3 to 5 through the use of SEASWEB. PRDE continues to train relevant personnel and monitor the use of SEASWEB with regard to the inclusion of preschool children entering preschool services.
2. Develop and implement guidelines to verify data collection and data entry.	During FFY 2010, PRDE created a guide based on its written instructions for the collection and submission of data related to Indicator 7, which were created in FFY 2009. The guide, <i>Guía</i>

Improvement Activities	Discussion
	<i>para la Entrada de los Datos y Verificación de la Recolección en los Resultados de la Intervención del Niño Pre-escolar</i> , was released in March 2011. PRDE plans to hold a refresher training regarding the collection of this data in accordance with the guidelines in February 2012.
3. Develop and implement a Manual of Procedures to implement the pre-school outcomes.	In December 2010, the <i>Guía de Procedimiento</i> (Manual of Procedures) was issued. An orientation meeting was then held with the Caguas CSEE to train the Pre-School Coordinators, APNI personnel, and the District and CSEE Facilitators.
4. Revise and disseminate the Outcomes Summary Format in order to incorporate recommendations and redesign its content to make it more users friendly.	In November and December 2010, PRDE reviewed and revised the form for collecting the data for Indicator 7. The modifications were based on addressing recommendations and experiences from collecting the data the prior year.
5. Develop routine and annual training and technical assistance regarding data collection for this indicator to preschool teachers and other relevant personnel.	Refer to discussions of Activities 2 and 3 above.
6. Provide training, materials, and technical assistance to preschool teachers and other relevant personnel regarding intervention strategies and models to provide quality preschool services.	<p>As scheduled, during November and December 2010, trainings were held focused on improving results of preschool interventions. See discussions above regarding revisions of the data collection form and the creation of the Procedures Manual and the Guide for collecting data for this indicator. Moreover, the SAEE Technical Assistance Unit added to its work plan holding annual orientation sessions to train new personnel.</p> <p>Also during FFY 2010, PRDE conducted an island-wide needs study to identify specialized materials and items to enhance its educational settings for students with disabilities, including self-contained classrooms and classrooms that focus work on children with autism. The needs study identified materials and equipment for PRDE to enhance its provision of services.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2011

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

(20 U.S.C. 1416(a)(3)(A))

Measurement: Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

FFY	Measurable and Rigorous Target
2010 (2010-2011)	90%

Actual Target Data for FFY 2010: 82.5%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Review of Process

For FFY 2010, PRDE continued with the same process for collection of data for Indicator 8 as described in its SPP. Therein, PRDE explains that it uses the *Inventario para Padres de Estudiantes que Reciben Servicios de Educación Especial*, a Spanish translation based on the National Center for Special Education Accountability and Monitoring's Parent Survey—Special Education (version 2). This survey was adapted and used to measure parent involvement in their children's special education services for use in 2005-2006. For 2006-2007, some grammatical changes were made to the version used in 2005-2006 but no substantive changes were made. Since that time, no changes have been made to the survey. All questions, substantive areas, and information requested remain the same, as approved by OSEP.

After determining the student sample, the Parent Assistance Unit in the Office of the Assistant Secretary for Special Education (SAEE) prepared the questionnaire and consent forms. The materials were then sent to the regional Service Centers to be distributed to schools. The completed consent forms and surveys were returned to the SAEE and sent to the data analysis center (Centro de Computos) for tabulation.

For FFY 2010, the *Inventario para Padres de Estudiantes que Reciben Servicios de Educación Especial* was administered to a random sample of 383 parents of children 3-21 years old. Parents were randomly selected from the December 2010 database of special education students receiving services (Child Count 2010). The random sampling methodology used is based on Vera (2005) and Cornett &

Beckner (1975). This method establishes that the sample of 383 is an appropriate sample for an N size of 100,000. PRDE's special student population in FFY 2010 was 126,560. See the sampling methodology below.

The parent inventory addresses three means for facilitating parental involvement: (i) schools as facilitator of the process, (ii) the teachers as facilitators, and (iii) a scale related to the general view of the special education program. Parents who answered "bastante" or "mucho" (numbers 4 and number 5 on a 1 to 5 scale) on questions regarding parental involvement were counted as reporting that schools facilitated parent involvement as a means of improving services and results of children with disabilities.

FFY 2010 Sample

A random selection of parents was used for survey administration. As PRDE's special education population for FFY 2010 was 126,560 the sample size would need to be at least 383 parents of students receiving special education services for 2010-2011.

Determination of the required sample was defined by the following formula:

$$s = \frac{X^2NP(1-P)}{d^2(N-1) + X^2P(1-P)}$$

Where:

s = required sample size

X^2 = the table value of chi-square for 1 degree of freedom at the desired confidence level (3.841)

N = population size

P = the population proportion (assumed to be .50 since this would provide the maximum sample size)

d = the degree of accuracy expressed as a proportion (.05)

Accordingly, with a universe/population size (N) of 126,560:

$$\begin{aligned} s &= \frac{(3.841) (126,560) (.50) (1-.50)}{(.05)^2 (126,560-1) + (3.841) (.50) (1-.50)} \\ &= \frac{(243,058.48) (.50)}{(.0025) (126,559) + .96025} \\ &= \frac{121,529.24}{316.3975 + .96025} \\ &= \frac{121,529.24}{317.35775} \\ &= 382.94 \\ s &= 383 \text{ parents} \end{aligned}$$

As such, in order to have sufficient sample size, PRDE was required to issue surveys to at least 383 parents.

The parents of a total of 383 students with disabilities were selected by the sampling method to receive the survey. A total of 252 of the 383 parents selected for the sample completed and returned surveys. This constitutes a 66% response rate of the sample group. This survey depends absolutely on parent responses.

PRDE's sampling method allows for the collection of feedback from a wide variety of parents including variation and representation by school level, student placement and almost all types of disabilities. The response group was representative of the population.

Survey Results for FFY 2010

A total of 208 of the 252 completed surveys reported that schools facilitated parental involvement as a means to improving services and outcomes for their children with disabilities. This represents 82% of the respondent parents (208/252 x 100).

Data Year	(1) # respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities	(2) # of respondent parents of children with disabilities	[(1)/(2)] X 100 = Percent
2010-2011	208	252	82.5%

For FFY 2010, 82.5% of responding parents reported that schools facilitated parent involvement. This reflects some slippage from FFY 2009. The FFY 2009 actual measurement for this indicator was 85% as compared to the FFY2010 performance of 82.5%. One explanation may be the result of a much higher response rate in FFY 2010, 66%, compared to 57% in FFY 2009. While this falls short of the 90% target, this data reflects a high level of performance in terms of schools facilitating parent involvement as a means of improving services and results for children with disabilities.

PRDE implemented many activities and efforts in an attempt to increase the parental responses and participation in the survey. School superintendents, CSEE Directors and facilitators shared the responsibility of informing parents that were selected for the survey and conducting follow-up to ensure that surveys were returned. PRDE SAAE central-level staff worked closely with local level staff in these efforts. Parents had the option of returning the completed surveys by mail or by turning the surveys in at their local schools. For the FFY 2010 survey, PRDE extended the due date for the survey twice in an attempt to receive more responses.

The table below summarizes improvement activities carried out during FFY 2010.

Activity	Discussion of Improvement Activities Completed
1. Revise and modify the survey	As discussed above, PRDE employed the same survey document previously approved by OSEP. The survey document was reviewed, and it was determined that no changes were required this year.

Activity	Discussion of Improvement Activities Completed
2. Increase parental responses to the survey	As stated above, PRDE implemented many activities and efforts in an attempt to increase parental participation in the survey. PRDE personnel worked directly with School Superintendents, CSEE Directors and Facilitators, who share the responsibility of informing selected parents of the survey and following up to ensure the surveys were returned. Parents had the option to return the completed surveys by mail or at schools. For the FFY 2010 survey, PRDE extended the due date for the survey twice in an attempt to receive more survey responses.
3. Disseminate the results of the parent survey to regions and central level and other interested parties.	<p>The results of the survey were disseminated through the School Superintendents, CSEE Directors and Facilitators. School Superintendents, CSEE Directors and Facilitators are responsible for keeping the District Facilitators, the School Directors, and Teachers informed. Several regional meetings were conducted to address the parent survey results. Agendas for these meetings included time for discussion of survey results, recommendations for improvement with this indicator, and recommended activities to foster parent involvement.</p> <p>During FFY 2010, the schools had School Facilitators who served as the primary point of contact and process initiator for a variety of activities and processes. Training was provided to all School Facilitators in the following areas: Child Find, registration, evaluation, eligibility determination, IEPs, placement, transportation services, related services, assistive technology, IDEA program requirements, parents' rights, and use of information systems.</p>
4. Training and technical assistance to school and district personnel on facilitating parental involvement	As discussed above, PRDE included training and technical assistance along with its dissemination of the survey results to school and district personnel.
5. Foster joint parent/teacher trainings	<p>PRDE has worked to ensure there are plenty of opportunities for parents to be involved not only in mandatory activities such as IEP revisions and other procedures but also through learning more from SAEE. PRDE provides parents with opportunities to learn new information and truly feel as though they are fully participating and collaborating partners. In addition to OSEP requirements for parental participation, the State legal case of Rosa Lydia Vélez requests evidence of these efforts as well. Parents are invited to participate and to collaborate. Their perspectives are very much appreciated by PRDE as PRDE recognizes the value of parents' perspectives and the importance of their participation. The following are examples of joint parent/teacher trainings during FFY 2010.</p> <ul style="list-style-type: none"> • The SAEE and the Secretary of Education worked on various activities in coordination with the Parents of the <i>Comité Timón</i>, the <i>Comité Consultivo de Educación Especial</i>, the Secretary of Education's Committee, <i>Alianza de Autismo</i> and the National Association of Deaf-Blind Families. For example, these groups participated in the dissemination of services as well as the selection and training of Special Education School Facilitators in

Activity	Discussion of Improvement Activities Completed
	<p>schools.</p> <ul style="list-style-type: none"> • In collaboration with APNI (<i>Asociación de Padres con Niños con Impedimentos</i>), PRDE sponsored two annual island wide activities that are joint parent/teacher trainings. Each year a different topic is covered in those meetings and a large number of parents and teachers participate in and benefit from this activity. In FFY 2010, the meetings were held at the Embassy Suites in Carolina, Puerto Rico and the Caribe Hilton Hotel in San Juan, Puerto Rico. • Evaluations were conducted after each event. Parent comments provided on the evaluation forms reflected parent satisfaction and willingness to support these kinds of efforts. As such, PRDE plans to continue with such activities and joint trainings.
6. Monitor the implementation of the established procedures for fostering parent involvement.	During FFY 2010, PRDE continued the use of a district self-assessment instrument as a means of monitoring the implementation of the established PRDE procedures and policies. The theme of parent involvement is included in the monitoring.
7. Administer the survey, collect data and measure progress on parent involvement	<p>Completed for FFY 2010.</p> <p>For FFY 2010, PRDE decided to adjust the timing of the survey administration, collection, analysis, etc. As soon as the official child count data was submitted, the process of defining and selecting the sample began (February 2011). PRDE began distributing the survey in March 2011 and aimed to complete administration of the survey by April 2011. As referenced above, however, PRDE decided, on one occasion, to extend the deadline for submission of the parent surveys in an effort to increase participation.</p> <p>In FFY 2010, PRDE followed through on its plans to have the parent surveys complete and to be ready to share results by the month of August 2011. August is PRDE's back-to-school month, and many meetings and trainings take place during the first days of school. This was a good opportunity for disseminating the information to schools and to reinforce the importance of parent and teacher collaboration through recommended activities.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Disproportionality

Indicator 9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Measurement:

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

Include State's definition of "disproportionate representation."

Based on its review of the 618 data for FFY 2009, describe how the State made its annual determination that the disproportionate representation it identified (consider both over and underrepresentation) of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum 'n' size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2010 reporting period, i.e., after June 30, 2011. If inappropriate identification is identified, report on corrective actions taken.

FFY	Measurable and Rigorous Target
FFY 2010 2010-2011	N/A

Actual Target Data for FFY 2010:

As discussed in the SPP and reinforced by OSEP's Puerto Rico Part B SPP/APR Response Table, this indicator does not apply to Puerto Rico.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

N/A (see above).

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

N/A (see above).

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Disproportionality

Indicator 10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Measurement:

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

Include State's definition of "disproportionate representation."

Based on its review of the 618 data for FFY 2009, describe how the State made its annual determination that the disproportionate representation it identified (consider both over and under representation) of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum 'n' size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2010, i.e., after June 30, 2011. If inappropriate identification is identified, report on corrective actions taken.

FFY	Measurable and Rigorous Target
(Insert FFY)	(Insert Measurable and Rigorous Target.)

Actual Target Data for FFY 2010:

As discussed in the SPP and reinforced by OSEP's Puerto Rico Part B SPP/APR Response Table, this indicator does not apply to Puerto Rico.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

N/A (see above).

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

N/A (see above).

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Child Find

Indicator 11: Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

- a. # of children for whom parental consent to evaluate was received.
- b. # of children whose evaluations were completed within 60 days (or State-established timeline).

Account for children included in a but not included in b. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

FFY	Measurable and Rigorous Target
2010 (2010-2011)	100%

Actual Target Data for FFY 2010: 92.02% for timely evaluation (30 days).

Evaluations conducted within 30 days

Date Year	a. # of children with parental consent to evaluate	b. # of evaluations held within 30 days	% evaluations held within PR timeline (a/d)
2010-2011	17,859	16,434	<u>92.02%</u>

*A total of 18,010 children with parental consent to evaluate were initially received, however 151 students exited the registration process prior to receiving their initial evaluations.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

As noted in Puerto Rico's SPP, PRDE faces State timelines shorter than the federal requirements due to the RLV court case sentence which mandates compliance of 30 days for initial evaluations. Consequently, Puerto Rico faces shorter timelines than the federal requirements. Because of these State established timelines, Puerto Rico reports its actual target data for this indicator using its timeline of 30 days.

During FFY 2010, a total of 17,859 students were referred for and had parental consent to evaluate. Of that number, 16,434, which represents 92.02% of all students referred for initial evaluation with parental consent, received a timely initial evaluation (i.e., within 30 days). This year the number of students requiring initial evaluation increased by 787 students as compared to FFY 2009. Despite this increase in the total of students that required initial evaluations for FFY 2010, PRDE nonetheless demonstrated improvement with this indicator as compared to all prior years, breaking the 90% compliance mark for the first time since establishing the baseline in FFY 2005.

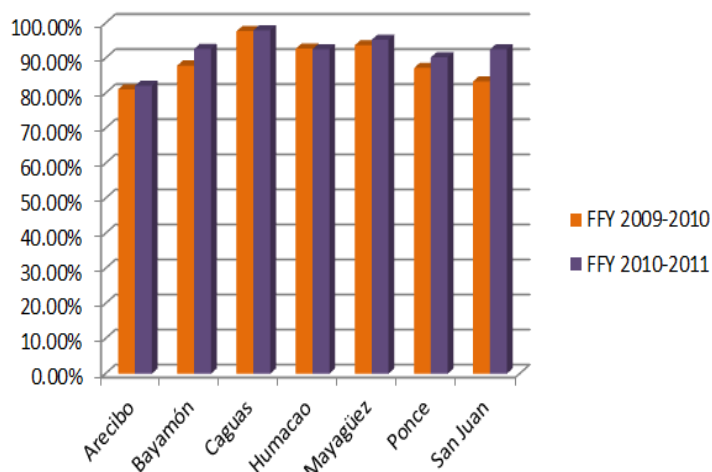
The following table compares Puerto Rico's improvement in complying with this timeline over the six most recent APR submissions:

Data Year	FFY 2005 (2005-2006)	FFY 2006 (2006-2007)	FFY 2007 (2007-2008)	FFY 2008 (2008-2009)	FFY 2009 (2009-2010)	FFY 2010 (2010-2011)
Compliance with 30 Day Evaluation Timeline	70.2%	82.9%	83.0%	82.6%	89.7%	92.0%

PRDE has seen significant improvement in compliance with the 30 day initial evaluation timeline, showing an overall improvement in compliance of 22% since establishing the baseline in FFY 2005. PRDE first showed significant improvement under this indicator between FFY 2005 to 2006. PRDE then went through a three year period of not evidencing significant change. Throughout that period, PRDE was extremely focused on improving institutional processes and eliminating significant evaluation backlogs while continuing to work towards full compliance in completing initial evaluations for new registrants on a timely basis. The improved processes and eliminated backlogs allowed PRDE to once again show significant progress during FFY 2009, increasing compliance by over 7% from the prior year. For FFY 2010, PRDE increased compliance by 2.3% as compared to the prior year (FFY 2009). PRDE's continued progress and breaking of the 90% mark reflect years of sustained hard work and dedication to ensuring all students receive a timely initial evaluation. With actual target data of 92%, PRDE is in substantial compliance with Indicator 11.

The following chart reports the improvement with this indicator compared with data from FFY 2009 and FFY 2010 by educational region.

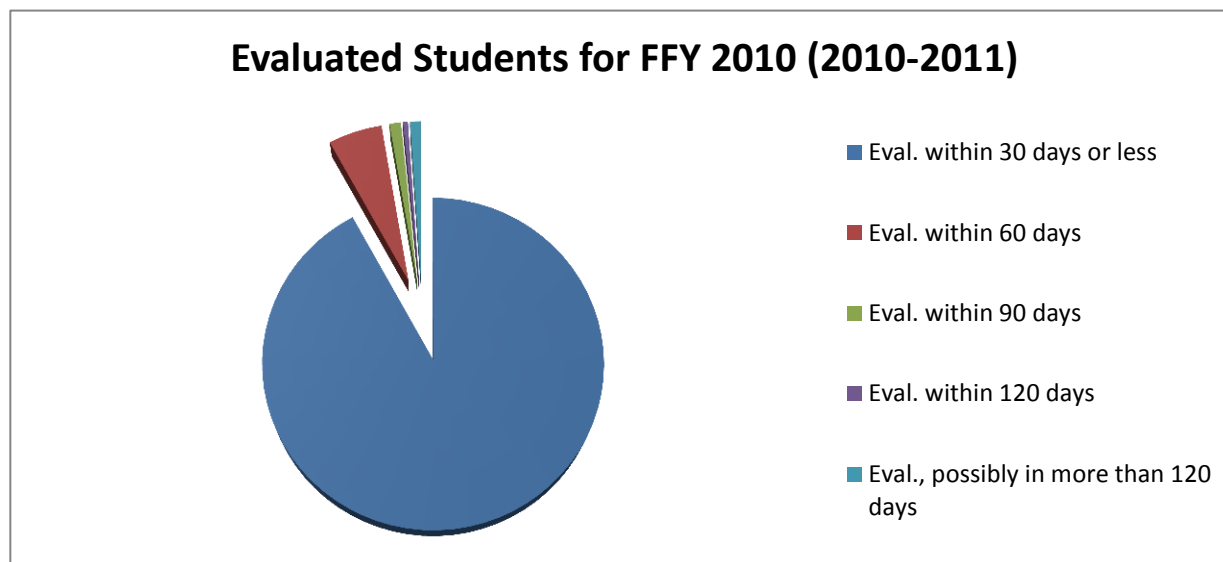
Comparison FFY 2009-2010 Data Improvement by Educational Region		
Region	Evaluation Data within 30 days FFY 2009-2010	Evaluation Data within 30 days FFY 2010-2011
Arecibo	81.1%	82.11%
Bayamón	87.9%	92.65%
Caguas	97.7%	97.96%
Humacao	92.7%	92.54%
Mayagüez	93.7%	95.25%
Ponce	87.2%	90.25%
San Juan	83.4%	92.51%



As reflected above, all seven educational regions showed improved, or at least sustained, performance in complying with the 30-day initial evaluation timeline. Humacao was the only region that did not show improvement as compared to last year, however that region sustained its high performance from FFY 2009 of 92.7% by achieving 92.54% compliance for FFY 2010. The San Juan region demonstrated the greatest improvement as compared to FFY 2009, increasing compliance by 9.1%. The Arecibo region, although increasing performance as compared to FFY 2009 by 1%, was the only region to not reach the 90% compliance mark during FFY 2010.

FFY 2010 Data Re: Those Children Referred but Not Evaluated within Timeline

The following charts report the range of days beyond the timeline when eligibility was determined as requested by OSEP.



Evaluated Students for FFY 2010 (2010-2011)						
Total # of children with parental consent to evaluate	Eval. within 30 days or less	Eval. within 60 days	Eval. within 90 days	Eval. within 120 days	Eval., possibly in more than 120 days	Not Yet Able to Determine
17,859	16,434	946	199	87	193	0
	92.02%	5.30%	1.11%	0.49%	1.08%	0%

As reflected above, PRDE completed 97.32% of FFY 2010 initial evaluations within 60 days. This is the first year in which PRDE has been able to report 100% completion of all initial evaluations in the year of APR reporting. In the past, PRDE often included a number of cases in the 'Not Yet Able to Determine' category. These were typically cases in which PRDE had reason to believe the student had already been evaluated, but where the supporting documentation had not been properly completed, filed, and entered into the data system. Although this was generally a very small number of cases (e.g., for FFY 2009, there were only 29 cases, or 0.2%, that fell under the 'Not Yet Able to Determine' category), PRDE is proud to eliminate the need for this category in FFY 2010. This is the result of PRDE's continuous and focused efforts to improve its data validation efforts.

During October 2010, to ensure continuous improvement under Part B of IDEA requirements, PRDE recruited 1,294 School Facilitators to coordinate and support special education program requirements at the school level resulting in more accessible service to students and parents. They will serve as the primary point of contact and process initiator in a variety of activities and processes. Training was provided to all recruited School Facilitators in the following areas: child find, registration, evaluation, eligibility determination, evaluations, IEP, placement, transportation services, related services, assistive technology, IDEA program requirements, and use of information systems. In order to aid in providing a more expeditious processing and addressing of the needs of the population the special education program serves, PRDE provided a significant number of technological tools to the School Facilitators.

Being able to efficiently perform the defined functions requires the availability of technological tools at the School Facilitators' disposal. Recognizing this need, a notebook computer and a wireless printer was assigned to each School Facilitator. The internet ready tools allowed the school facilitators to have the necessary and continuous access to the key internet based systems for carrying out their responsibilities and attending to their student populations. These tools, together with the trainings provided, have enabled the School Facilitators to provide a level of support that has resulted in improved compliance with the 30-day initial evaluation timeline.

During FFY 2010, PRDE also developed and implemented a new system for scheduling initial evaluation appointments, which has aided PRDE in its efforts to ensure initial evaluations to those students identified as potential participants of special education services are promptly scheduled and held timely. This system, which maintains an individual electronic data bank of available appointments including the date/time by service provider, records the appointment made for the student's evaluation using the student identification number. This allows for proper identification and tracking of appointments made, as well as follow-up for reports on initial evaluations pending from service providers, improving PRDE's controls over ensuring compliance with the 30-day timeline. This system was implemented at the

Service Centers and is also another tool that the School Facilitators will be using to request and follow-up on initial evaluations of students attending their schools.

Training on this system was initiated in November 2010, when all School Facilitators were trained and their user IDs and passwords were assigned. Additionally, two refresher courses have been held. Service providers, an integral part of this system, have been trained and are using the new system.

The initial evaluations and eligibility determinations are coordinated through the Service Centers. For the second semester of the FFY 2010 school year, the CSEEs used the new appointment system to coordinate this process. Also as a continuing activity, trainings were held for special education general and district supervisors that include the importance and impact of ensuring timely management of the evaluation and determination processes.

As an established procedure that has been in place since 2007-2008, PRDE continues to require contractors providing initial evaluations to present a report which includes: evaluations conducted and services provided, student dismissals, parental requests to transfer their services from one corporation to another, and referrals not attended. PRDE has continued the policy by which corporations are issued monetary sanctions when there is a delay of more than 10 days between the evaluation and submission of the evaluation report to the Service Center. Additionally, the SAE Monitoring and Compliance Unit monitors compliance with these items. These requirements were included in the contracts signed by service providers and have contributed to the provision of timely services for PRDE.

During FFY 2010, PRDE maintained a taskforce to assist with data validation and overall support at CSEEs facing the significant challenges with compliance indicators, including Indicator 11. PRDE identified the CSEEs in need of support by regularly generating and analyzing monthly data reports for performance at each of the CSEEs (see discussion of Improvement Activity #4 in the activities chart for more information regarding the monthly report efforts). Members of the taskforce have provided on-site support at those CSEEs to assist with the file reviews. The activities performed by the taskforce have included both technical assistance and training to SEASWEB staff to improve their performance in reviewing data, validation, and entering information into the system. On-site assistance included a thorough review of files on follow-up visits to the CSEEs, school districts and schools, to verify that all the information of initial evaluation was updated in SEASWEB. For students who had received their initial evaluations, the supporting documentation was added to the CSEE file and updated accordingly in SEASWEB. For students who had not yet received an initial evaluation, evaluation appointments were made immediately. This activity was particularly crucial during the first semester of FFY 2010, prior to the implementation of the new appointment system.

Correction of Noncompliance Reflected in the FFY 2009 APR

PRDE has verified the timely correction of 100% of incidents of noncompliance connected to Indicator 11 in the FFY 2009 APR. PRDE has ensured that 100% of students with parental consent to receive initial evaluations during FFY 2009 were evaluated. Under Indicator 11 of the FFY 2009 APR clarification submission, PRDE reported a total of 29 initial evaluations for which it was not yet able to verify had been completed. Below, PRDE provides a table of APR data for Indicator 11 from the FFY 2009 APR clarification submission as a point of reference. The data from this submission was extrapolated to reflect how many initial evaluations were not completed within 30 days and which PRDE needed to verify had been completed.

<u>APR Indicator 11 Data</u>	a. Total # of children with parental consent to evaluate	b. Timely evaluated (within 30 days)	Percent of timely (within 30 days) evaluation (b/a)
FFY 2009 (2009-2010)	17,072	15,311	89.7%

PRDE has assured the **timely** correction of non-compliance, i.e., has assured the outstanding evaluations have been completed, as reflected by the below table.

<u>Correction of Non-compliance Data</u>	c. Total # of children with parental consent to evaluate that did not receive timely (within 30 days) evaluations (a-b)	d. Total # of children with parental consent to evaluate that received evaluations after 30 days (as reported in the FFY 2009 APR)	e. Total # of children with parental consent to evaluate that were remaining to be verified as evaluated at the time of the FFY 2009 APR clarification submission (c-d)	f. Total # of children in 'e' that PRDE has verified have received their initial evaluation or otherwise exited the system	Percent of children with parental consent to evaluate that did not receive timely (within 30 days) evaluations that have since received initial evaluations ((d+f)/c)
FFY 2009 (2009-2010)	1,761	1,732	29	29	100%

In assuring verification of correction of noncompliance reflected in the FFY 2009 APR, PRDE's work has been consistent with the OSEP 09-02 Memorandum. PRDE conducted a review of updated data to determine proper implementation of 34 CFR 300.301(c)(1) and has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the Commonwealth of Puerto Rico, consistent with OSEP Memorandum 09-02. **The verification of correction of noncompliance was timely, i.e., within one year of identification.**

Updated Data

The OSEP Puerto Rico Part B FFY 2009 SPP/APR Response Table (at p. 7) requires PRDE to report on updated data for the period from July 1, 2011 through December 31, 2011 with the FFY 2010 APR. Accordingly, PRDE has included this updated data in its APR Supplemental Report, submitted simultaneously with this FFY 2010 APR.

Improvement Activities Table

The table below summarizes improvement activities carried out during FFY 2010.

ACTIVITY	Discussion of Progress of activities completed
1. Implement the eligibility determination pilot in the remaining Service Centers.	The eligibility determination project has completed its pilot implementation stages; the practice is on-going. The eligibility determination pilot program, conceived in 2006-2007, has been implemented in all CSEEs island wide. The Determination of Eligibility Unit is in place at all Service Centers. The teams are responsible for initial evaluation coordination and analysis, including eligibility determination through to IEP meeting coordination with the student's school. This includes providing orientation to parents who come to the CSEEs to register their student for special education. For more information, see discussions under Indicator 11 in prior APR submissions.

ACTIVITY	Discussion of Progress of activities completed
<p>2. Evaluated options and develop guidelines for dealing with parents who miss their appointments</p>	<p>As discussed in the FFY 2008 APR, one of PRDE's major concerns for this indicator was reporting on those children that continuously miss their appointments for initial evaluation. Once the parent consents, PRDE has a 30 day timeline to complete the initial evaluation. In most cases, the parents get their appointment at the Service Centers the same day they register their student to be evaluated for special education services. The Centers maintain an appointment log from the service providers and can book appointments for parents right away. Parents often miss the appointments made, which negatively impacts the timelines required by PR State law and OSEP. Some parents may notify of any inconvenience for not attending their appointments and personnel from the service centers at the call center address a new date for the evaluation but timelines continue running. It has been PRDE's experience that most of the parents who miss appointments simply do not notify PRDE. Instead, PRDE has to wait for the Corporations to notify PRDE of the parent's absence in order to proceed with reaching out to the parent to attempt to schedule a second appointment.</p> <p>On May 21, 2010, PRDE announced the adoption of a procedure related to repeated failure to attend scheduled appointments for evaluations. PRDE's procedure eliminates students from registration list, i.e., the list of students awaiting initial evaluation, when parents have failed to bring their student to a scheduled evaluation appointment three consecutive times. This procedure was adopted in accordance with 34 CFR 300.301(d). Parents are informed of this procedure, and specifically that repeated failure to attend can result in exiting student from registration process, during the orientation they receive upon registering their student to receive special education services. PRDE has trained CSEE personnel and the School Facilitators regarding the registration process and the importance of the orienting parents on the importance of attending the initial evaluation and the result of failing to miss three consecutive appointments under this procedure.</p>
<p>3. Keep up working to implement the alert system in SEASWEB</p>	<p>During FFY 2010, PRDE implemented a SEASWEB alert system, which sends an automatic email to the staff assigned to the student before the expiration of the terms of evaluations, reevaluations, IEP, placement, and eligibility determination as well as the approaching the third birthday of children included in Indicator 12.</p>
<p>4. Use the information system to generate monthly report or the cases registered for better monitoring compliance</p>	<p>PRDE will continue with this activity. The central level generates monthly data reports for each Service Center during the first week of each month. These monthly data reports include information on performance under Indicator 11. The reports are retrieved from the system in order to monitor and provide technical assistance and support as needed. As a result of analyzing these monthly reports, PRDE established a task force to provide additional support to CSEEs for which the monthly reports reflected greater compliance challenges. More information regarding this task force is discussed above. Also another support is given by the School Facilitators at the school level.</p>

ACTIVITY	Discussion of Progress of activities completed
5. Implement a new protocol for Eligibility Determination as proposed.	Throughout FFY 2010, PRDE continued utilizing the Eligibility Determination protocol that has been in place at the CSEEs. In order to move services, including the registration and evaluation process, closer to students and parents, PRDE has begun work towards shifting the handling of the eligibility evaluation and determination processes, in stages, from the CSEEs to the schools. School Facilitators have been trained in these processes, which will begin to be handled at the school level during FFY 2011.
6. Coordinate with P.R. P.T.A. (APNI) for parents orientation on procedures and timelines for services provision (B11,B12)	PRDE held quarterly meetings with the APNI personnel where focus was placed on the process of identifying students referred from Part C to Part B. Additionally, PRDE held individual meetings with APNI personnel specific to cases at the CSEE at which they were posted. Meetings addressed the importance of APNI personnel in the registration and eligibility determination processes as well as the constant entry and update of data in SEASWEB.

Revisions with Justification to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

PRDE is not proposing any revisions to its proposed targets, improvement activities timelines, or resources for this indicator at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or whom exceptions under 34 CFR §300.301(d) applied.
- e. # of children who were referred to Part C less than 90 days before their third birthdays.

Account for children included in a but not included in b, c, d or e. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

Percent = [(c) divided by (a - b - d - e)] times 100.

FFY	Measurable and Rigorous Target
FFY 2010 2010-2011	100%

Actual Target Data for FFY 2010: 75.0%

PRDE conducted island-wide data collection and several validation activities in order to obtain the number of children who exited Part C services whose eligibility was determined prior to their third birthday, the number of children who were found eligible and were provided special education services by their third birthday, and the number of eligible children who, at the end of the period, had not been provided with special education services. The data collected shows the following.

Table A - Data

a- # of children served in Part C referred to Part B for eligibility determination	b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.	c. # of children found eligible with IEP's developed and implemented by their third birthday	d. # of children for whom parental refusal to consent to evaluation caused delay in evaluation or initial services	e.# of children who were referred to Part B less than 90 days before their third birthdays.
1,650	45	1,161	57	0

Measurement:

Data Year	(a – b – d – e)	C Divided by (a-b-d-e)	Times 100	= Percent
2010-2011	1,650-45-57-0 = 1,548	1,161 / 1,548 = 0.75	0.75 X 100 = 75.0	75.0%

As directed by the measurement instructions for this indicator, children included in 'a' (from Table A above) but not included in 'b', 'c', 'd', or 'e' must be accounted for. There is a subgroup of 387 children included in 'a' (children served in Part C referred to Part B for eligibility determination) that are not included in 'b', 'c', 'd', or 'e'. Although this subgroup of students may not have received their eligibility determination and had Part B services in place by their third birthday, PRDE has confirmed that the entire subgroup has since had their eligibility determination completed, and as appropriate, has services in place. The following table (Table B) provides the range of days elapsed beyond the third birthday of these 387 children whose eligibility and services were not in place by the third birthday. Reasons for the delays are discussed thereafter.

Table B. Range of days elapsed beyond the third birthday of children whose eligibility and services were not in place by the third birthday.

# of children receiving services from Part C and referred for eligibility determination during FFY 2010 and were not determined eligible or provided with services on their third birthday	In place within 60 days of third birthday	In place within between 61 and 90 days or third birthday	In place within 91 and 120 days of third birthday	In place within more than 120 days of third birthday	Unable to determine with data provided
387	256	59	32	40	0

Based on FFY 2010 data, the range of days elapsed beyond the third birthday of children whose eligibility and services were not in place by the third birthday is 1 – 343 days. The majority of the children were receiving services within 60 days. When a child's IEP was completed prior to the child's third birthday, services were provided. Reasons for the delays include the following: data entry errors, new

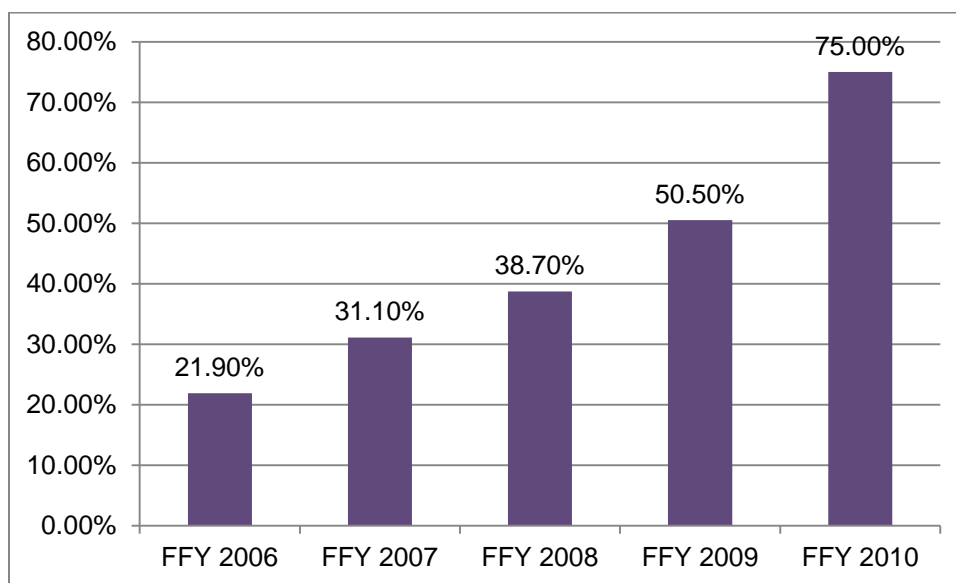
staff, parents failed to keep scheduled appointments, Part C failed to send transition meeting notices in a timely manner, and supervisors failed to attend transition meetings.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

The table below compares Puerto Rico's performance under Indicator 12 over the past several years. A graphic below also demonstrates this progress with Indicator 12 performance.

Demonstrated Progress with Indicator 12 Over Time					
	<i>FFY 2006</i>	<i>FFY 2007</i>	<i>FFY 2008</i>	<i>FFY 2009</i>	<i>FFY 2010</i>
Indicator 12 Measurement	21.9%	31.1%	38.7%	50.5%	75.0%

Progress with Indicator 12 over time



The steps that PRDE is taking for the improvement of the services through the Special Education Service Centers, as well as the intensive training, guidance, and follow up provided to personnel in charge of the transition process has resulted in improved compliance with this requirement. PRDE has learned much about the transition process and has begun steps that will further ensure compliance.

During 2010-2011, PRDE continued efforts to improve routine communications between Part C and Part B. These communications have identified challenges that both agencies are working to address. PRDE will continue to meet with Part C staff. A Memorandum of Agreement between agencies has been finalized and signed to ensure collaboration, improvement activities and data exchange expectations.

PRDE maintained the placement of a Special Education Supervisor at each one of the island's Special Education Service Centers who is assigned the responsibility of ensuring an agile process for transitioning children. These supervisors, along with the preschool coordinators, are in charge of the follow up and coordination needed to evaluate, determine eligibility, develop the IEPs, and coordinate

services. The Special Education Supervisors work hand in hand with representatives from APNI in efforts to ensure all children referred from Part C to Part B receive their eligibility determinations and begin receiving services, as appropriate, by their third birthday.

Throughout this year, PRDE continued the taskforce established in March 2010 to assist with data validation and overall support at CSEEs facing the significant challenges with compliance indicators, including Indicator 12. PRDE identified the CSEEs in need of support as a result of its practice of generating and analyzing monthly data reports for performance at each of the CSEEs (see discussion of Improvement Activity #4 in the activities chart for more information regarding the monthly report efforts). Members of the taskforce have provided on-site support at those CSEEs to assist with the review of files for the backlog of students referred from Part C who had not yet been reported in SEASWEB as having received an initial evaluation. Taskforce activities have included both technical assistance and training to SEASWEB staff to improve their performance with data review, validation, and entry into the system as well as hands-on assistance reviewing the files and ensuring that students received initial evaluations and that data was updated accordingly in SEASWEB. The hands-on assistance included thorough review of all backlog files—including visits to district offices and schools to locate the impacted students and ensure students had received their initial evaluations. For students who had received their initial evaluations, the supporting documentation was added to the CSEE file and updated accordingly in SEASWEB. For students who had not yet received an initial evaluation, evaluation appointments were made immediately upon locating the students.

Taskforce efforts have been successful as reflected in the significant progress with this indicator over the past year as well as PRDE's ability to confirm 100% of students referred from Part C to Part B during FFY 2010 have received their eligibility determination, and where appropriate, have begun receiving services.

Correction of Noncompliance Reflected in the FFY 2009 APR

Puerto Rico has assured the timely correction of noncompliance identified in the FFY 2009 APR under Indicator 12, early childhood transition. As of the FFY 2009 APR, PRDE reported that it was unable to evidence a total of 587 students referred from Part C to Part B received their eligibility determinations and provision of services, where appropriate, by the student's third birthday. Of those 587 students, PRDE was able to confirm that all but 12 had been evaluated and, where appropriate, were receiving services, as of the FFY 2009 APR submission. Since that time, PRDE has verified that all of those children referred from Part C to Part B have been evaluated, received eligibility determinations and—where determined eligible—had an IEP developed and implemented. In all 12 cases, this correction was verified in a timely manner, i.e., within one year of the identification of noncompliance.

	Students referred from Part C to Part B during FFY 2009 for whom PRDE had not been able to confirm eligibility determinations and provision of services, where appropriate, by the student's third birthday as of the FFY 2009 APR submission	Outstanding FFY 2009 cases PRDE has confirmed completion of eligibility determinations and provision of services where appropriate	Percent of FFY 2009 re-evaluations pending as of the FFY 2009 APR submission that have been verified as complete
FFY 2009 (2009-2010)	12	12	100%

In assuring verification of correction of noncompliance reflected in the FFY 2009 APR, PRDE's work has been consistent with the OSEP 09-02 Memorandum. PRDE conducted a review of updated data to determine proper implementation of 34 CFR 300.124(b) and has completed the evaluation, for any child referred from Part C to Part B whose initial evaluation, and where appropriate, provision of services were not provided by the child's third birthday, unless the child is no longer within the jurisdiction of the Commonwealth of Puerto Rico, consistent with OSEP Memorandum 09-02.

Updated Data

The OSEP Puerto Rico Part B FFY 2009 SPP/APR Response Table (at p. 8) requires PRDE to report on updated data for the period from July 1, 2011 through December 31, 2011 with the FFY 2010 APR. Accordingly, PRDE has included this updated data in its APR Supplemental Report, submitted simultaneously with this FFY 2010 APR.

Improvement Activities Chart

The following chart provides information on the accomplishments, progress, and slippages of the activities proposed in the SPP for the implementation of this indicator.

Activity	Discussion
1. Create an alert in the information system (SEASWEB) for when child is about to turn 3 years old. Work to ensure such an alert functions in an efficient and effective manner.	PRDE fully implemented this alert in SEASWEB during the 2010-2011 school year. Also, PRDE regularly monitors its log of Part C to Part B referrals to track students about to turn three years old.
2. Use the information system to generate a monthly report of the cases registered in order to better monitor compliance.	<p>During FFY 2010, PRDE continued improving its referral process for children referred from Part C to Part B. As a part of that continuing improvement, PRDE received technical assistance from DAC and SERRC.</p> <p>As discussed in the FFY 2009 APR, PRDE revised and improved its referral process for children referred from Part C to Part B and first implemented the changes in the Ponce, Caguas and Bayamón Regions. In September 2010, the revisions to the referral process were expanded to all regions.</p> <p>The Puerto Rico Department of Health, which oversees IDEA Part C on the island, sends a monthly report on all children referred from Part C to Part B to PRDE SAEE (central level). PRDE SAEE then distributes these monthly reports to the CSEEs. The coordinators of preschool services review the monthly reports, in collaboration with the directors of CSEE, and provide the necessary follow-up activities.</p> <p>Throughout 2010-2011, PRDE continued work with a contractor, ProInfo, to provide additional technical assistance at the CSEEs. These efforts will continue as they have proven to ensure accurate and reliable data for this indicator.</p>

Activity	Discussion
<p>3. Provide additional continuous training and technical assistance to personnel at locations with greater challenges in compliance with this indicator in order to address issues specific to such locations.</p>	<p>SEASWEB trainings were provided to address specific areas of concern. PRDE held several training sessions and provided technical assistance to personnel from the central level, the CSEEs, and the districts to ensure compliance with this indicator. Some of these technical assistance activities were provided in coordination with DAC and SERRC.</p> <p>Meetings were held with the APNI project coordinator to address any issues of validation or update the information in SEASWEB. Through this collaborative effort, the APNI coordinators at each CSEEs assist with locating the impacted students and ensuring initial evaluations are scheduled, take place, and that SEASWEB is updated accordingly. Collaboration between PRDE and APNI is continuous and ongoing.</p> <p>Also, the School Facilitators assist with the identification of issues at the school level.</p>
<p>4. Evaluate and identify best practices for monitoring transition in coordination with both the monitoring and technical assistance units.</p>	<p>Part C to Part B transition is monitored by the MCU during its on-site monitoring visits. PRDE monitored entities for compliance with this indicator, provided onsite technical assistance, and scheduled follow-up visits to ensure correction of identified noncompliance.</p> <p>The SAEE Monitoring Unit shares its monitoring reports with the SAEE Technical Assistance Unit, allowing the Technical Assistance Unit to use the monitoring information to improve delivery and content of technical assistance services and ensure that the TA Unit addressing the issues identified through the monitoring process.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

PRDE is not proposing any revisions to its proposed targets, improvement activities timelines, or resources for this indicator at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = $\left[\frac{\text{(\# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority)}}{\text{(\# of youth with an IEP age 16 and above)}} \right] \times 100$
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FFY	Measurable and Rigorous Target
FFY 2010 (2010-2011)	100%

Actual Target Data for FFY 2010: 95.8%

The following chart summarizes the data for calculating Puerto Rico's actual measurement for FFY 2010. Of the 15,926 files reviewed, 15,260 met the secondary transition requirements in accordance with Indicator B-13. As such, PRDE's actual target data for FFY 2010 is in compliance with 95.8%. Data regarding the number of those students who have an IEP that includes appropriate measurable postsecondary goals was determined through the process described below.

a. # of IEPs of students age 16 and above reviewed	b. # of students included in (a) with IEPs that include appropriate measurable postsecondary goals	% of students with transition goals in their IEP (b/a)
15,926	15,260	95.8%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2010:

PRDE established its baseline data for this indicator in FFY 2009. The baseline data measures the percent of students aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service's needs.

PRDE determines whether or not a student has appropriate measurable postsecondary goals by reviewing student files and completing a certification form, which includes a Spanish-language checklist that was developed using the B13 Checklist created by the National Secondary Transition and Technical Assistance Center (NSTTAC). The current certification form is nearly identical to the form discussed in Puerto Rico's FFY 2009 SPP. One question was added for data collection requirements at the State level. A copy of the certification form used for FFY 2010 is included at Attachment A. Information was collected in accordance with the checklist and school directors were required to provide signatures assuring the reliability of the information.

PRDE's efforts to obtain and validate data for this indicator included the following activities:

- A list was prepared of student's age 16 years and above who were required to have transition services in their IEPs. This list was created based on data in SEASWEB for the entire reporting year. The corresponding lists were sent to each CSEE for validation, and data update as necessary. The final update lists then served as the master list for reviewing files.
- The file of each student on the list was reviewed. CSEE Directors worked with their staffs, including transition coordinators, to complete the checklist for each student file. All staff members involved in this review process was trained in the use of this checklist in order to assure compliance with the overall process and proper documentation.
- SAE transition coordinators were in charge of training staff and monitoring the use of the checklist. Transition coordinators are also involved in the IEP development and revision process. In total, PRDE reviewed the files of 15,926 students age 16 and above.

The following table lists the checklist certification results. All questions included in the summary below, 1-9, are considered in determining whether the student's IEP includes appropriate measurable postsecondary goals in accordance with Indicator 13. As detailed in the instructions to the checklist, the response to each applicable question must be 'yes' in order to answer the final question, regarding compliance with Indicator B-13, in the affirmative. The overall data collected by the checklist application shows as follows:

Transition IEP Checklist Results For 2010-2011		Yes	No	NA
1.	Is there evidence that the measurable postsecondary goals were based on age- appropriate transition assessments?	15,576	350	N/A
2.	Are there measurable postsecondary goals that address education or training, employment, and (as needed) independent living?	15,652	274	N/A
3.	Is/are there annual IEP goals that will reasonably enable the student to meet the postsecondary goals?	15,712	214	N/A
4.	Are there transition services in the IEP that focus on improving the academic and functional achievement of the student to facilitate movement from school to post-school?	15,658	268	N/A
5.	Do the transition services include a course of study with focus on	15,639	287	N/A

Transition IEP Checklist Results For 2010-2011		Yes	No	NA
improving the academic and functional achievement of the student to facilitate movement from school to post-school?				
6.	Do transition services include student participation in academic courses, vocational or technical, which contribute to achieving postsecondary goals?	15,496	430	N/A
7.	For transition services that are likely to be provided or paid for by other agencies with parent or adult student consent, is there evidence that representatives of the agency(ies) were invited to the IEP meeting?	9,740	2,094	4,092
8.	For transition services that are likely to be provided or paid for by other agencies with parent or adult student consent, is there evidence that representatives of the agency(ies) participated in the IEP meeting?	6,819	4,189	4,918
9.	Is there evidence that the student was invited to participate in the development of his or her IEP to include transition services for the current academic year?	15,024	902	N/A
Does the IEP contain the established legal requisites to comply with Indicator B-13? (In accordance with checklist instructions)		15,260	666	N/A

PRDE has seen significant improvement, and in surpassing the 95% mark has achieved substantial compliance with this indicator. This was an increase of 6.9% as compared to the prior year (FFY 2009). PRDE's continued progress and breaking the 95% mark reflects years of sustained hard work and dedication to ensuring all students receive services according to legal requirements. The chart below reflects PRDE's progress with this indicator since setting the baseline last year.

Data Year	FFY 2009 (2009-2010)	FFY 2010 (2010-2011)
% of students with transition goals in their IEP (b/a)	88.9%	95.8%

Correction of Noncompliance Reflected in the FFY 2009 APR

OSEP's FFY 2009 APR Response Table for Puerto Rico requires PRDE to report the status of correction of non-compliance reflected in the FFY 2009 Indicator 13 data. With the FFY 2009 APR Submission, in the SPP, PRDE reported less than 100% compliance for FFY 2009. Specifically, PRDE reported that 10,567 of the 11,888 IEPs of students aged 16 and above reviewed were confirmed to include appropriate measureable postsecondary goals. As reflected in the following table, PRDE has verified the timely correction of 100% of the incidents of noncompliance connected to Indicator 13 for FFY 2009.

a. Number of student files reviewed for the FFY 2009 APR for which PRDE was not able to confirm as compliant with Indicator 13 (11,888 – 10,567)	b. Adjusted item 'a'*	c. Number of those files (item b) for which PRDE has verified as corrected	d. Number of those files for which PRDE was not able to verify as corrected	e. % Verified as Corrected
1,321	1,017*	1,017	0	100%

*In PRDE's FFY 2009 APR, PRDE reported a total of 1,321 student files reviewed for which PRDE was not able to confirm as compliant with Indicator 13. Since that time, PRDE has identified that 304 of those students have either exited the PRDE system or should not have been included in the review. This includes a small subset of students who PRDE determined were not yet 16 years of age and, as such, should not have been included in the review for this indicator.

To verify that that the necessary corrections of non-compliance had been made, PRDE staff in the Office of the Assistant Secretary for Special Education (SAEE) met with Transition Facilitators to discuss the results of the Indicator 13 data and to develop a strategy for making necessary corrections. First, areas of non-compliance were identified and analyzed. A corrective action plan was then made for each case of non-compliance. The SAEE Monitoring and Compliance Unit then conducted an on-site visit to review each student file and ensure that the correction was made. In those instances where corrective action wasn't completed, additional corrective actions were required and subsequent monitoring visits were scheduled to ensure compliance. The required validation process sheets for each file were reviewed and verified at the CSEE, and the CSEE was required to certify the correction results before submitting them to the SAEE central level.

In assuring verification of correction of noncompliance reflected in the FFY 2009 APR submission, PRDE's work has been consistent with the OSEP 09-02 Memorandum. PRDE conducted a review of updated data to determine proper implementation of 34 CFR 300.320(b) and 300.321(b) and has corrected each individual case of noncompliance (i.e. ensured the IEPs of those students 16 and above included appropriate measurable postsecondary goals), unless the child is no longer within the jurisdiction of the Commonwealth of Puerto Rico, consistent with OSEP Memorandum 09-02.

Improvement Activities:

PRDE looks forward to improving compliance with this indicator in coming years, working towards 100% compliance with this indicator. PRDE's efforts with its planned improvement activities are detailed in the Improvement Activities chart below.

Activity	Description
1. Review the Transition Manual, make revisions as necessary.	The SAEE reviewed the Transition Manual. The draft of the manual is now being reviewed by the Parents Committee.
2. Continue and intensify monitoring to guarantee the services in the IEP; provide special attention in regions requiring additional assistance.	<p>After reviewing the results of the FFY 2009 APR, the SAEE Technical Assistance Unit prepared a technical assistance schedule for visiting the Arecibo, Bayamon and San Juan Regions. These regions were selected based on their lower performance with Indicator 13. During these on-site visits, the TA Unit introduced an Intervention Plan, which included strategies for addressing and correcting transition services established in Student IEPs.</p> <p>The on-site visits by the Technical Assistance focused on post-secondary transition services, IEP writing, creating measurable goals and proper execution of the process in order to ensure compliance.</p>

Activity	Description
<p>3. Continue the coordination with governmental agencies to revise the interagency agreement in order to actualize transitions needs for the students</p>	<p>The SAEЕ has assigned resources aimed at strengthening the coordination of interagency services in order to strengthen post-secondary transition services.</p> <p>The <i>Administración para el Adiestramiento de Futuros Empresarios y Trabajadores</i> (Administration for the Training of Future Business Owners and Workers, AAFET by its Spanish acronym) is a government office which offers training to young people, ages 14 to 29, who have left the formal education system and/or are unemployed. These trainings prepare these students to develop their skills in different vocational trades so that they can achieve and maintain employment and / or establish their own business. Among the services offered are transportation and guidance on the transition process and post-secondary education.</p> <p>PRDE participates in the Interagency Committee for Employment of Persons with Disabilities with the Puerto Rico Office of the Advocate for Persons with Disabilities (OPPI).</p>
<p>4. Utilize strategies utilized in the educational regions with best performance. Develop a needs study.</p> <ul style="list-style-type: none"> ✓ Orient teachers ✓ Regional monitoring of files of students age 16 and above regarding secondary transition ✓ Provide Technical Assistance at the regional level ✓ Implement a plan to work with new teachers in the special education program ✓ Fairs of Study Opportunities 	<p>The Technical Assistance Unit met with CSEE-level Academic Facilitators who work on transition matters to discuss best practices amongst the regions and the resulting successes for transition services. At that meeting, the Facilitators discussed what strategies they used and the group created a working plan for transition services.</p> <p>PRDE developed an instrument that would reflect the needs of students 16 or older with significant cognitive impairment to ensure that students receive transition services according to their specific needs.</p> <p>Visits were made to both public and private institutions where special education students 16 and older were enrolled to ensure that monitoring was occurring and that the services were being provided in accordance with the legal requirements in the area of transitions services.</p> <p>The SAEЕ worked with the Program Director of Social Work and Counseling, within the Office for Student and Community Affairs at PRDE to identify support and resources to strengthen support services to special education teachers.</p>

Activity	Description
5. Teacher and administrative personnel training	<p>Trainings were given to special education teachers who are placed at juvenile institutions. These trainings discussed transition to adult life, as well as the development of post-secondary goals and annual goals for IEPs.</p> <p>Trainings were also conducted with School Superintendents and Special Education School Facilitators on indicators 13 and 14, the FFY 2009 APR results, required evidence for demonstrating compliance, the monitoring process, and entering data into SEASWEB.</p> <p>Separate meetings were held in the Bayamon, Arecibo and San Juan regions for regional School Directors, support personnel and special education teachers to review and analyze FFY 2009 APR data, acquisition of transition certificates, and creating measurable goals. Indicators 1, 2, 13 and 14 were discussed.</p> <p>Trainings were held for personnel in the SAEE Legal Division on the procedures for secondary transition, legal requirements, compliance with the indicator, the results of the FFY 2009 APR, and measurable goals.</p>
6. Strengthen and intensify relations between rehabilitation and vocational programs in order to improve our services	As mentioned above, the SAEE has assigned resources aimed at strengthening the coordination of interagency services in order to improve post-secondary transition services.
7. Review and evaluate PRDE's data collection method for this indicator.	<p>As discussed above, PRDE used a Spanish translation of the Transition IEP B13 Checklist, created by the National Secondary Transition and Technical Assistance Center (NSTTAC). During FFY 2010, the certification form discussed in Puerto Rico's FFY 2009 APR was modified slightly.</p> <p>Specifically, one question was added to address a State-level data collection requirement. Additionally, the checklist was modified to collect additional information in the area of the student demographics.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

FFY	Measurable and Rigorous Target
FFY 2010 (2010-2011)	<u>14A:</u> 48.0% <u>14B:</u> 55.3% <u>14C:</u> 87.1%

Actual Target Data for FFY 2010: 14A: 59.4%
 14B: 65.4%
 14C: 83.9%

Source Data:

a. # enrolled in higher education within one year of leaving high school	b. # competitively employed within one year of leaving high school (but not included in 'a')	c. # enrolled in some other postsecondary education or training program within one year of leaving high school (but not included in 'a' or 'b')	d. # in some other employment within one year of leaving high school (but not included in 'a', 'b', or 'c')	e. TOTAL # of respondent youth no longer in secondary school and had IEPs in effect the time they left school ("respondents")
961	96	230	70	1,617

Measurement 14A:

a. # enrolled in higher education within one year of leaving high school	e. TOTAL # of respondents	Measurement = (a / e) * 100
961	1,617	59.4%

Measurement 14B:

a. # enrolled in higher education within one year of leaving high school	b. # competitively employed within one year of leaving high school (but not included in 'a')	e. TOTAL # of respondents	Measurement = [(a + b) / e] * 100
961	96	1,617	65.4%

Measurement 14C:

a. # enrolled in higher education within one year of leaving high school	b. # competitively employed within one year of leaving high school (but not included in 'a')	c. # enrolled in some other postsecondary education or training program within one year of leaving high school (but not included in 'a' or 'b')	d. # in some other employment within one year of leaving high school (but not included in 'a', 'b', or 'c')	e. TOTAL # of respondents	Measurement = [(a + b + c + d) / e] * 100
961	96	230	70	1,617	83.9%

PRDE uses census data for this indicator, using its 618 data table on exiting to obtain the number of students who would be considered no longer in secondary schools and who had IEPs in effect at the time they left school. A comparison of the gender and disabilities of the respondents to the 12/1/2010 Child Count (the last one in which these students would have been counted), indicates that the response group was representative of the population. Specifically, in terms of gender, 68.03% of the respondents were male, and 68.38% of the CC (ages 6-21) were male. In terms of disability, 87.22% of respondents had mild disabilities (Specific Learning Disabilities, Speech/Language, Mental Retardation, and Emotional Disturbance), and 89.95% of the CC (ages 6-21) have mild disabilities. Accordingly, the response group was considered representative of the population.

As discussed in its SPP, PRDE's data collection survey was designed using the National Post School Data Outcomes Center (Oregon University): Post School Data Collection Protocol. SERRC, DAC, and the NPSO Advisory Board provided technical assistance in finalizing the survey as well establishing procedures for its implementation and use.

In March 2011, meetings were held with the Transition Facilitators to prepare and establish strategies for gathering Indicator 14 data. During the meetings the survey was discussed, and questions raised regarding the survey were addressed. Each Transition Facilitator, a position assigned at the regional level, was given instructions for completing the survey along with a list of students from her region who exited in FFY 2009. The lists provided to the Transition Facilitators listed students by region, district and school in order to help facilitate locating the students. The Transition Facilitators were responsible for training the applicable personnel, including the School Facilitators, on the purpose and use of the survey. In order to maximize student responses to the survey, the School Facilitators collaborated with School Counselors, Social Workers and Teachers. Located students were contacted by telephone. Visits were conducted in lieu of phone calls as necessary. Completed surveys were sent to the PRDE SAAE central-level office for review and data analysis.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Activity	Discussion
1. Review the transitional services guide	The SAAE reviewed the Transition Manual. The draft of the manual is now being reviewed by the Parents Committee.
2. Evaluate and define strategies to ensure high response rate, specifically for the hard- to- find populations. Implement accordingly.	In March 2011, PRDE began identifying strategies to identify the student population and facilitate data collection. These efforts were carried out with the participation of the CSEE Academic Facilitators in charge of transition (i.e., the Transition Facilitators).
3. Increase and maintain professional development on selected topics in secondary transition including professional development seminars for high school teachers, guidance counselors, and administrators to support students to pursue higher education.	<p>The SAAE Technical Assistance Unit designed uniform procedures to train all of the educational regions in the transition process.</p> <p>SAAE central-level staff met with Academic Facilitators working in the transition area to train them in processes related to Indicator 14. These Facilitators in turn trained other staff on how to conduct interviews and locate students one year after the students exit the school system.</p> <p>The SAAE worked in collaboration with the Program Director of Social Work and Counseling, within the Office for Student and Community Affairs at PRDE, to locate students one year after graduation.</p>

Activity	Discussion
	Additionally, training was provided to the Special Education Legal Division staff on the secondary transition requirements, the law, compliance with the indicator, data reported in the FFY 2009 APR, and measurable goals.
4. Promote and encourage timely student response to the post-school interviews, including distribution of flyers to inform parents and youth of the post-school interviews and other media options.	PRDE held orientation sessions during Special Education Month wherein PRDE promoted the importance of student participation and timely response to the post-school surveys.
5. Update or develop plans to improve post-secondary transition education and services and capacity implement	Trainings were provided to School Superintendents and Special Education Academic Facilitators regarding indicators 13 and 14, the FFY 2009 APR results, required evidence for demonstrating compliance with the requirements for post-secondary transition, the monitoring process, and entering data into SEASWEB.
6. Identify additional technical assistance for students' outcomes improvement and activities for student retention.	<p>Refer to discussions in Indicators 1, 2, and 13. For example, as discussed under Ind. 1, the PRDE <i>Training and School Counseling Program</i> sponsors various projects to strengthen student retention.</p> <p>As part of its 2011 OSEP verification visit results activity, PRDE has chosen to focus its efforts on increasing retention and reducing dropout rates in the Ponce region, specifically in the Ponce District. PRDE is working in collaboration with the United States Department of Education and its technical assistance providers to develop strategies to reduce dropout rates. This project in the Ponce District is intended to function as a pilot program, and successes in student retention may become applicable island-wide.</p>
7. Coordination meetings with the Auxiliary Secretary for students and Community Services to improve of the collection and validation of the data.	See discussions through this indicator, including Activity #3 above.
8. Enforce and supervise the use of the exit survey collection data with the latest student personal information and future possible references to contact them electronically.	PRDE recruited 1,294 School Facilitators to coordinate and support special education program requirements at the school level resulting in more accessible service to students and parents. Training was provided to all recruited School Facilitators in the following areas: child find, registration, evaluation, eligibility determination, evaluations, IEP, placement, transportation services, related services, assistive technology, IDEA program requirements, and use of information systems.

Activity	Discussion
	<p>A primary function of the School Facilitators is to ensure student information is constantly updated and accurate in the SEAS Web system. The performance of this function by the School Facilitators has improved PRDE's ability to maintain valid contact information for communicating with students and their parents.</p>
<p>9. Identify more settings for students placement alternatives in postsecondary higher education based on interagency collaboration agreements or thought creations of partnerships</p>	<p>Indicator 14 has been an area of focus for PRDE. Numerous internal meetings have been held to discuss post-secondary transitions; further, PRDE selected this indicator for its results activity connected to its 2011 verification visit from OSEP.</p> <p>Also, see discussion under Indicator 13.</p>
<p>10. Develop two major activities to encourage the student's outcomes improvement and their school retention</p>	<p>As discussed above under activity #9, PRDE selected post-secondary outcomes as the area of focus for its results activity. OSEP conducted a verification visit in Puerto Rico in October 2011. During FFY 2010, PRDE worked closely with OSEP staff and technical assistance providers to prepare for the results activity portion of the verification visit. During the visit, parents, community leaders, and students were invited to participate in a discussion of Indicator 14 and brainstorm possible strategies for increasing success in this area. After the results activity, PRDE created its Part B Indicator 14 Results Improvement Plan (see Attachment B). PRDE will continue its efforts with the results improvement plan developed through this process.</p> <p>Additionally, PRDE provided orientations on special education issues to the community during Special Education Month.</p>
<p>11. Review our Post-Secondary Outcomes data to identify trends and changes over time. As part of the annual review, we will revise the Improvement Activities as needed.</p>	<p>PRDE will continue to review post-secondary outcomes data through the survey used to collect this data, as well as data collected with the results activity. The results activity, focusing on reducing the dropout rate in the Ponce District, may help identify island-wide trends.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.

(20 U.S.C. 1416 (a)(3)(B))

Measurement:

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = [(b) divided by (a)] times 100.

States are required to use the “Indicator 15 Worksheet” to report data for this indicator (see below).

FFY	Measurable and Rigorous Target
FFY 2010 (2010-2011)	100%

Actual Target Data for FFY 2010: 88.5%

The data for this measurement appear in Puerto Rico’s completed Worksheet B-15, which is included below.

Actual Measurement:

A. # of findings of noncompliance (priority areas)	B. # of corrections within one year	%
61	54	88.52%

For purposes of Puerto Rico’s Worksheet B-15, the number of ‘LEAs’ reflects the number of PRDE entities (i.e., school districts or service centers) that were issued findings. For clarification, PRDE remains a unitary system and as such consists of only one LEA. The treatment of districts and service centers as ‘LEAs’ is done here solely in an effort to organize PRDE’s monitoring and general supervision activities into meaningful units that can then meet the APR reporting requirements; it does not affect PRDE’s status as a unitary system.

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
2. Percent of youth with IEPs dropping out of high school.				
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.	Dispute Resolution: Complaints, Hearings	0	0	0
3. Participation and performance of children with disabilities on statewide assessments.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
7. Percent of preschool children with IEPs who demonstrated improved outcomes.				
	Dispute Resolution: Complaints, Hearings	0	0	0
4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
5. Percent of children with IEPs aged 6 through 21 -educational placements. 6. Percent of preschool children aged 3 through 5 – early childhood placement.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	1	1	0
	Dispute Resolution: Complaints, Hearings	33	33	33
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Dispute Resolution: Complaints, Hearings	0	0	0
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	9	9	5
	Dispute Resolution: Complaints, Hearings	9	9	9

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	7	7	5
	Dispute Resolution: Complaints, Hearings	0	0	0
13. Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable student to meet the post-secondary goals.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of noncompliance: Resolution Process	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	2	2	2
	Dispute Resolution: Complaints, Hearings	0	0	0
Sum the numbers down Column a and Column b			61	54
Percent of noncompliance corrected within one year of identification = (Column (b) sum divided by column (a) sum) times 100.			(b) / (a) X 100 =	88.52%

Discussion of Improvement Activities Completed and Explanation of Progress from FFY 2010:

During FFY 2010, PRDE successfully ensured the correction of noncompliance within one year of identification for 88.52% of the findings identified during FFY 2009. Specifically, PRDE verified correction of 54 of the 61 findings of noncompliance that were identified during FFY 2009. The 61 findings were identified in written reports resulting from (i) onsite monitoring visits made by the PRDE SAEE Monitoring and Compliance Unit and (ii) and State Complaint investigations. This FFY 2010 APR data marks an improvement for Puerto Rico's FFY 2009 APR data for this indicator (85.6%).

PRDE's work to guarantee confirmation of correction has been consistent with the OSEP 09-02 Memorandum. PRDE verified the correction of individual cases of previously identified noncompliance. PRDE also reviewed additional updated data in the area of previously identified noncompliance in order to assure correction of any underlying issues leading to noncompliance and subsequent compliant practice (i.e., to ensure the specific regulatory requirements at issue are being correctly implemented.). For example, at one entity with noncompliance identified in the area of initial evaluation, in an on-site visit subsequent to the findings of noncompliance, PRDE staff reviewed updated records to determine current practice (in the area) was compliant. All records reviewed demonstrated the district has compliant practices.

Throughout 2010-2011, PRDE continued to work closely with the Southeast Regional Resource Center (SERRC) and the Data Accountability Center (DAC), for technical assistance related to improving systems for data collection, reporting and general supervision to ensure the correction of noncompliance no later than one year after its identification. With their assistance, key PRDE accomplishments during 2010-2011 included revisions to update the Monitoring Manual, regarding the use of the Self-Assessment and the newly implemented monitoring process for the CSEEs. More information regarding PRDE accomplishments, including PRDE's work with SERRC and DAC, is discussed below under the subheading *Discussion of 2010-2011 Improvement Activities*.

On-Site Monitoring Process

Since 2007-2008, PRDE SAEE has worked closely with SERRC and DAC to critically review and revise its monitoring system. Details of PRDE SAEE's work each year has been detailed in past APRs. During FFY 2009, the MCU held initial on-site monitoring visits at the school district and CSEE levels. A significant accomplishment during FFY 2009 was the expansion of the MCU's on-site monitoring visits to include the CSEEs in addition to PRDE school districts. As a result, PRDE Indicator 15 data for FFY 2010 has expanded to include the results MCU's on-site monitoring to the CSEEs.

The seven FFY 2009 findings of noncompliance that PRDE was not able to confirm correction within one year of identification were the result of on-site visits by the PRDE SAEE Monitoring and Compliance Unit. These seven findings were tied to a total of 5 entities (4 CSEEs and one school district). In accordance with PRDE's sanctions policy, each of these entities received initial sanctions letters as a result of their failure to correct noncompliance in a timely manner. More detailed and updated information regarding the implementation of PRDE SAEE's sanctions policy with regard to these entities that failed to correct findings of noncompliance within one year of identification is included in PRDE's FFY 2010 APR Supplemental Report, submitted simultaneously with this APR.

Update on the Correction of Non-Compliance Identified in Prior Years

In past APRs, PRDE herein provided updates on previously identified non-compliance from prior years that related to specific APR indicators and items connected to Puerto Rico's 2007 Compliance Agreement and MOA with ED. As instructed by OSEP's current Part B SPP/APR Indicator Measurement Table (at p. 16), detailed information regarding the correction of noncompliance related to a specific indicator is provided under the specific indicator. For example, correction of noncompliance related to early childhood transition is described under Indicator 12 rather than here under Indicator 15.

Similarly, as required by OSEP's Puerto Rico Part B FFY 2009 SPP/APR Response Table, updated data regarding the correction of noncompliance for the period from July 1, 2010 through June 30, 2011 for the items previously addressed in the 2007 Agreement are addressed in Puerto Rico's APR Supplemental Report, submitted simultaneously with the FFY 2010 APR. See OSEP Response Table at p. 13 (requiring the submission of this stated updated data with the FFY 2010 APR).

Herein, PRDE provides updates on the correction of non-compliance identified by the MCU in FFY 2008. As reported in the FFY 2009 APR, a total of 13 findings of noncompliance identified in FFY 2008 had not been corrected within one year of identification. These 13 findings were connected to a total of five school districts. Prior to the FFY 2009 APR submission, one of those districts exited the sanctions system, closing out two of the findings. As such, as of the time of the FFY 2009 APR submission, a total of eleven findings of noncompliance identified in FFY 2008 remained open. Since the submission of the FFY 2009 APR, all of the remaining eleven FFY 2008 findings of noncompliance identified in FFY 2008 have been verified as corrected, and accordingly, closed. Please refer to PRDE's FFY 2010 APR Supplemental Report, submitted simultaneously with Puerto Rico's FFY 2010 APR for a more detailed and updated discussion on the correction of noncompliance connected to Indicator 15, including a detailed discussion of PRDE's implementation of its sanctions policy as it relates to entities that failed to correct findings of noncompliance within one year of identification.

Discussion of 2010-2011 Improvement Activities

PRDE has benefited from technical assistance provided by SERRC and DAC throughout 2010-2011. A series of meetings were held between PRDE, SERRC, and DAC on a variety of topics related to PRDE SAEE's general supervision system and correction of noncompliance within one year of identification. These meetings are held in-person, at PRDE, and each monthly meeting typically lasted two full days. The main participants from PRDE are PRDE SAEE's Monitoring Unit staff and Special Assistants to the PRDE Sub-Secretary for Special Education. SERRC and DAC have also facilitated the coordinated communications between the PRDE and the Puerto Rico Department of Health, the Lead Agency for Part C, to improve the smooth transition of children from Part C to Part B. The following chart summarizes the key topics addressed during each of the PRDE/SERRC/DAC meetings:

Meeting Dates	Key Topics
September 13-14, 2010	➤ Teleconference with DAC regarding validation of data and correction of non-compliance.
September 20-21, 2010	➤ Onsite intensive TA visit: September 20, 2010 <ol style="list-style-type: none"> 1. Met with the Acting Associate Secretary for Special Education to continue prioritizing technical assistance on data collection, analysis, reporting, and use. 2. Met with the Part B Data Manager to review progress on the development of the written data management routines, trend data charts, and reports needed for submission in November. 3. Met with the Monitoring and Compliance Unit for an update on monitoring activities, including the status of data collection through the self-assessment and schedule for receiving these back from districts. ➤ On-site Supportive TA during ED quarterly MOA and compliance agreement visit, Supported the Puerto Rico Department of Education, Special Education Office.
October 13, 2010	➤ Teleconference with SERRC to coordinate TA regarding Assistive Technology

Meeting Dates	Key Topics
October 22, 2010	➤ Conference with SERRC to coordinate TA regarding Assistive Technology
October 29, 2010	➤ Teleconference with DAC regarding Table 7, Part C to Part B transition, and correction of noncompliance.
December 1-3, 2010	➤ Meeting with SERRC regarding assistive technology, Part C to Part B transition, and general supervision system. ➤ Specifically On December 3, a meeting was held jointly with SERRC and DAC personnel to provide TA to the <i>Comité Asesor de Asistencia Tecnológica</i> (Assistive Technology Advisory Committee, 'CAAT' by its Spanish acronym) personnel. ➤ On-site Intensive TA Visit: December 2-3, 2010 <ol style="list-style-type: none"> 1. Reviewed technical assistance plan with interim Associate Secretary. Facilitated meeting with PRDE and PRDH and discussed communication for children transitioning from Part C to Part B. 2. Met with AT staff and reviewed policies and procedures for the provision of assistive technology devices and services to students with disabilities. Reviewed current methods for purchasing, inventorying, and disseminating assistive technology devices. 3. Reviewed collection of self-assessment data and schedule for on-site monitoring visits to districts and regional service centers with Monitoring and Compliance Unit. Reviewed correction of non-compliance that was identified during the previous monitoring cycle. ➤ Reviewed Memo 09-02 with Monitoring and Compliance Unit and procedures that needed to be included in the Monitoring Manual
January 18-19, 2011	➤ DAC meeting was held regarding data manage activities such as: meeting with SEASWEB contractors and Ed facts coordinator to prepare for February 2011 data submission. ➤ Complete Data Routines outline for Table 1 and Table 3
March 2-3, 2011	➤ Training was held with SERRC and Mr. Art Cernosia to provide Administrative Law Judges Training regarding an overview of Special Education Law. The key topic was a summary of the current statutory and regulatory requirements. References were made to a series of Questions and Answer documents prepared by the Office of Special Education and Rehabilitative Services, from the USDE.
April 14-15, 2011	➤ Meetings were held with DAC personnel to discuss the organizational understanding of the chain of data (entry, processing, validation, verification, communications and data submission). ➤ Continue to develop of the PRDE Data Management Manual. ➤ Develop preliminary data reports on district performance.

Meeting Dates	Key Topics
April 18-20, 2011	<ul style="list-style-type: none"> ➤ SERRC and DAC meetings were held regarding monitoring activities, self-assessment, correction of previously identified non-compliance and enforcement sanctions. ➤ Conducted self-assessment with Monitoring Unit and compared performance to their performance in 2011 to 2008. ➤ Reviewed monitoring activities for 2010-2011: district self-assessment results, method of selection of districts for on-site monitoring, correction of previously identified non-compliance, and enforcement/sanctions for noncompliance past one year. ➤ Planned agenda for the Administrator's workshop. ➤ Conducted APR work session for 2012 submission, reviewed calendar of due dates.
May 26-27, 2011 May 30- June 1, 2011	<ul style="list-style-type: none"> ➤ Preparation for the Administrator's Workshop. ➤ During May 31- July 1, the Administrator's Workshop took place. The participants were School Superintendents, Special Education Facilitators, CSEE Directors and SAEE personnel. Included review of the SPP/APR indicators for both results and compliance, role of compliance monitoring, correction, enforcement and sanctions in general supervision, data entry and reporting, and dispute resolution Topics discussed: <ul style="list-style-type: none"> • PRDE Authority and Responsibility for General Supervision • Special Conditions • Overview of the SPP/APR • General Supervision Responsibilities in Puerto Rico • Integrated Monitoring Activities • Improvement, Correction, Incentives and Sanctions Component of General Supervision • Effective Dispute Resolution Components of General Supervision • Data on Processes and Results Component of General Supervision • Targeted Technical Assistance and Professional Development component of General Supervision • Assistive Technology ➤ Participated in OSEP CrEAG calls

Looking Forward to 2011-2012

During 2011-2012, PRDE SAEE's work with SERRC and DAC will focus in large part on:

- Producing a data progress report that compares performance for the state on select 618 data and APR data over a three or four year period.
- Expanding the draft data management manual that includes minimally each of the 618 data collections and each of the SPP/APR indicator measurements with sections that address (1) data collection (data source, data entry, business rules, and professional development), (2) electronic validations and edit checks, (3) data source verification, (4) data analysis, (5) use, and (6) reporting.
- Facilitating the provision of professional learning and development for transition planning and implementation.
- Continuing facilitation of communications and coordination between PRDE and PRDH.
- Assisting in the development of routine communication procedures between legal and special education divisions.

- Continuing to review the monitoring manual and activities to assist PRDE in evaluating the effectiveness of the procedures.

The following table discusses PRDE's efforts to carry out the improvement activities identified in its SPP.

Activity	DISCUSSION
1. Review and revise the monitoring system to include aspects identified as per the SPP.	PRDE completed this activity in FFY 2008. Please see the discussion in the FFY 2008 APR.
2. Send close out letters to entities which evidenced correction of 100% of noncompliance findings.	MCU has sent close-out letters to all entities which evidenced correction of 100% noncompliance findings.
3. Send notification letters to entities with repeated non-compliance findings with one year of identification. These letters will identify the level of sanctions and the enforcement activities that will be carried out	All entities entering the sanctions system as a result of failing to correct noncompliance within one year of identification were issued such notification letters.
4. Continue to implement the monitoring cycles to entities providing special education services.	PRDE has continued to follow its annual monitoring cycle. As discussed in prior APRs, PRDE's monitoring cycles are based in part on the results of the self-assessment. Additionally, as discussed above, the MCU's annual monitoring cycle now includes on-site visits to the CSEEs as well.
5. Incorporate compliance component as part of the Statewide Personnel Development System.	See discussion above. Training has been given on the indicators as well as strong advice on the requirements. Work has been done to strengthen the connection between the Monitoring Unit and the Technical Assistance Unit to ensure a clear understanding of the roles and responsibilities and interconnectedness between the MCU's identified findings and technical assistance.
6. Incorporate the use of the data from the special education information system, as part of the monitoring efforts.	As part of the monitoring process data from SEAS WEB is being used to select the files which are reviewed during on-site monitoring visits. This exercise serves multiple purposes such as: validation of the data system and implementing the use of the data system as part of the monitoring process.
7. Train and provide technical assistance regarding compliance to the educational system.	See discussion above. PRDE's Administrator's Workshop, discussed above, held on May 30-June 1, 2011, was a particularly powerful technical assistance activity that PRDE plans to continue holding annually.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(1.1(b) + 1.1(c)) divided by 1.1] times 100.

FFY	Measurable and Rigorous Target
FFY 2010 (2010-2011)	100%

Actual Target Data for FFY 2009: 100%Data from Table 7 (FFY 2009):

- (1) # of written, signed complaints received (total): 67
 - (1.1) # of complaints with reports issued: 59
 - (a) # of reports with findings of noncompliance: 34
 - (b) # of reports within timeline: 57
 - (c) # of reports within extended timelines: 2
 - (1.2) Complaints pending: 0
 - a) # of complaints pending a due process hearing: 0
 - (1.3) Complaints withdrawn or dismissed: 8

FFY 2010 Measurement:

Data Year	1.1(b)	1.1(c)	1.1
2010-2011	57	2	59

Data Year	1.1(b) + 1.1(c)	Divided by 1.1	Times 100	= Percent
2010-2011	59	1	100.00	100%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

PRDE met the mandatory 100% target for Indicator 16 for FFY 2010. This is the third consecutive year in which PRDE has met the 100% target for this indicator, which is a significant accomplishment and the result of consistent dedication to this compliance indicator over the past several years. This steady and impressive trend of progress to reaching and maintaining 100% compliance with the timely resolution of State Complaints for the third year in a row is evident through a review of PRDE's APR submissions and its special condition reports relating to State Complaints over prior years.

From FFY 2004 to FFY 2010, PRDE's compliance under Indicator 16 has increased steadily and quite rapidly considering the full circumstances, in an impressive fashion. For each of those years, PRDE reported the following levels of compliance with Indicator 16:

FFY 2004 (Baseline/SPP)	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010
0%	2.78%	56.04%	92.65%	100%	100%	100%

At the time of the SPP submission, based on FFY 2004 data, PRDE had a virtually non-functional State complaint process. PRDE struggled with not only the timeliness requirements but also with responding to State complaints whatsoever. A substantial backlog of State Complaints accumulated while new complaints continued to be filed into a troubled system.

Due to this situation, a Special Condition was attached to Puerto Rico's FFY 2006 IDEA grant award relating to its State Complaint process. The FFY 2006 Special Condition regarding the State Complaint process established a series of timelines by which the PRDE Office of Special Education was required to reduce the then existing backlog of complaints and efficiently manage new complaints. In establishing timelines, the Special Condition classified all complaints into three categories: (i) backlogged unresolved complaints filed prior to 2/28/06 (Backlogged Complaints), (ii) complaints filed between 2/28/06 and 11/30/06 ("New 2006 Complaints"), and (iii) complaints filed between 12/1/06 and 4/30/07 ("Newest Complaints"). The number of Backlogged Complaints that PRDE was facing at the time was 117.

By the close of FFY 2006, PRDE successfully reported upon and thus eliminated the entire category of Backlogged Complaints, closed all of the New 2006 Complaints and met the timeliness requirements for that category as established in the Special Conditions, and successfully closed 66.7% of the Newest Complaints category. At that time, the main obstacle to PRDE meeting full compliance with the timeliness requirements was that its resources were still consumed in large part in eliminating the Backlogged Complaints and the newest 2006 Complaints. PRDE reported on its efforts in meeting the FFY 2006 Special Conditions in its Special Conditions Report dated February 1, 2007 and its Final Special Conditions Report dated May 30, 2007.

While recognizing PRDE's hard work and demonstration of solid progress, OSEP again attached a Special Condition to Puerto Rico's FFY 2007 IDEA grant award related to the State Complaint process. Similar to the FFY 2006 Special Condition, the FFY 2007 Special Condition established a series of timelines by which PRDE was required to reduce the then existing backlog of complaints and come into full compliance with the timeliness requirements. The FFY 2007 Special Condition classified complaints into the following three categories: (i) complaints filed before May 1, 2007, (ii) complaints filed between May 1, 2007 and November 30, 2007, and (iii) complaints filed between December 1, 2007 and April 30, 2008. PRDE successfully complied with its Special Conditions eliminating all backlogged complaints, demonstrating increased compliance with the timeliness requirements over the progression of complaint groupings, and reported that 96.3% of complaints in the final category had timely decisions issued. PRDE reported on its efforts in meeting the FFY 2007 Special Conditions in its Special Conditions Report dated February 1, 2008, its Final Special Conditions Report dated May 30, 2008, and its Final Special Conditions Report Update filed June 30, 2008. PRDE's substantial compliance with the timeliness requirements was sufficient to have the special conditions lifted. As a result of PRDE's hard work and

demonstrated improvement, no Special Condition related to State Complaints was attached to Puerto Rico's FFY 2008 IDEA grant.

In Puerto Rico's FFY 2008 IDEA Part B grant award, OSEP notified PRDE that Puerto Rico's FFY 2008 IDEA Part B grant award would not include any special conditions regarding State Complaints due to Puerto Rico's demonstrated progress and substantial compliance with the timeliness requirements for State complaint resolution. Specifically, OSEP noted:

...on the issue of State complaints, Puerto Rico submitted a revised progress report on June 30, 2008, indicating that there is no longer a backlog of overdue State complaints and that for the 20 State complaints filed between December 1, 2007 and April 30, 2008 and for which a written decision was due, 95% of the decisions were timely. OSEP looks forward to Puerto Rico's demonstration of continued substantial compliance related to State complaints.

OSEP FFY 2008 IDEA Part B Grant Award Letter to PRDE dated July 3, 2008, p. 2. Recognizing PRDE's sustained compliance, USDE did not issue any special conditions related to this indicator for FFY 2009 or FFY 2010. After the special conditions were removed, PRDE continued to report its compliance with issuing timely reports resolving State Complaints on a quarterly basis under Puerto Rico's 2007 Compliance Agreement with the United States Department of Education.

PRDE's 100% compliance with issuing timely reports resolving State Complaints since FFY 2008 and throughout FFY 2010 has continued into FFY 2011. In fact, PRDE is proud to report that it is in 100% compliance under this indicator for FFY 2011 to date.

In addition to its compliance with timeliness requirements of 34 CFR § 300.152, PRDE has continued to make significant administrative efforts to improve its overall work with State complaints and to ensure the sustainability of its compliance with the timeliness requirements. During FFY 2009, PRDE added a staff member dedicated to State complaint resolution and an Administrative Complaint Investigator (Lead Administrative Complaint Investigator) assigned to oversee and manage the tracking of the State Complaints and to help collect the data for federal reporting. PRDE provided training and technical assistance to the new Administrative Complaint Investigator to help with the transition.

Staffing for the overall handling of the State Complaint process (including intake, investigation, analysis and report issuance) consists of two investigators, an administrative assistant, and an attorney. The two investigators divide the complaints equally and meet on a nearly daily basis to discuss effective strategies and approaches. These regular discussions have been extremely helpful to the resolution process. Each investigator is responsible to investigate, follow-up, draft and file his or her report. The Director of the SELD is the attorney responsible for drafting the final reports, and the secretary assists with the overall management of the complaint process.

Over the past year, the SELD once again closely monitored the State Complaint workload and workflow to determine if additional resources were required. SELD has determined that the current staffing level is sufficient. Nonetheless, SELD has maintained the proactive measure implemented in FFY 2009 of having two additional SELD attorneys trained on the State Complaint process who are charged with assisting in the State Complaint process if and when periods of time arise in which additional resources are needed.

Pending complaints are monitored regularly through the status logs maintained by the complaint investigators. Each Administrative Complaint Investigator manages his or her own complaints in a single log with a system of alerts to indicate the time left to resolve each complaint within the 60-day timeline. The Administrative Complaint Investigators regularly update the log and provide the status information to the relevant parties to ensure complaints are handled in a timely manner. An analysis of the State Complaint files is made monthly to ensure all complaints are registered.

PRDE has continuously worked to ensure that its State Complaint filing process is accessible to all. In addition to being filed at the central level, a State Complaint can be filed in every Educational Region or even submitted by mail. During a quarterly visit related to the 2007 Compliance Agreement in FFY 2010, PRDE shared evidence with OSEP of State Complaints received by mail. The Administrative Complaint Investigators receive help from all the other Investigators assigned to the Regions. These

investigators are duly trained in the process of State Complaint Management. In FFY 2010, PRDE ensured that its model State Complaint form is available and easily accessible on the PRDE website along with instructions on how to submit a State Complaint. Through these efforts, PRDE is working to ensure that the State Complaint process is accessible to everyone in Puerto Rico.

Currently, the PRDE SELD uses the Legal Register Information System to enter and keep track of all the State complaints. PRDE plans to incorporate this system as part of a proposed integrated web-based system in which due process complaints, lawsuits and other legal matters will be recorded. One key purpose of this integrated web based system is to provide a global overview of the cases dealt with in the Legal Division regarding special education services. This proposed integrated system will make it easier to identify and investigate the background of each case. Specific to State Complaints, the Investigators and the Lawyers will have access to the system and will register all steps of the process completed with each complaint. This System will allow all personnel involved in the State Complaint process to know the exact status of each complaint and will help PRDE to maintain the compliance with the timelines.

PRDE has achieved these accomplishments through much hard work and dedication from its team of people in the SELD. PRDE appreciates the support and assistance it has continually received from OSEP as it has worked to achieve this goal

Activity	Discussion
1. Validation checks of information system to ensure all complaints are being recorded.	Analysis of the State Complaint files and the information system is made to ensure all complaints are registered and that the State Complaints data system is operating efficiently. There have not been any problems with efficient and regular data input.
2. Monitor timeline of all pending complaints and determine if further action need be taken (i.e., communication with investigator or assigned lawyer to determine why any delay in progress, etc.).	PRDE complied with this activity throughout FFY 2010. Each Administrative Complaint Investigator manages his or her own complaints in a single status log with a system of alerts to indicate the time left to resolve each complaint within the 60-day timeline. The Administrative Complaint Investigators regularly update the log and provide the status information to the relevant parties to ensure complaints are handled in a timely manner.
3. Hold trainings for investigators, lawyers, and other personnel related to the state complaint process.	Appropriate personnel have received training related to the State Complaint process.
4. Review and improve as appropriate the state complaint filing process, to include designing and incorporating a new model complaint form and expanding the sites wherein a state complaint can be filed.	PRDE has made significant strides with this activity, particularly since FFY 2007, continuing through FFY 2010. During FFY 2007, PRDE reviewed and improved its State Complaint filing process, including two key accomplishments: (i) designing and incorporating a new model complaint form and (ii) expanding the sites where a State Complaint can be filed. During FFY 2008, PRDE continued with the use of the new model complaint form and the expansion of ways in which a State Complaint can be filed, including filing by mail. During FFY 2009, PRDE ensured the complaint form was available on the PRDE website, along with the postal address for submission of State Complaints by mail.

Activity	Discussion
5. Evaluate resources and seek to hire new personnel to work with the state complaint process as determined appropriate (likely an additional investigator and an additional lawyer).	As discussed above, PRDE has monitored the State Complaint workload and has determined that current staffing levels are sufficient. The current staffing arrangement consists of four staff members dedicated to the State Complaint process (two Investigators, a Secretary, and the Director of SELD). An additional two attorneys have been trained and designated to assist this core staff of four in the event additional resources are needed.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 17: Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = $[(3.2(a) + 3.2(b)) \text{ divided by } 3.2] \text{ times } 100$.

FFY	Measurable and Rigorous Target
FFY 2010 2010-2011	100%

Actual Target Data for FFY 2010: 77.7%

Data from Table 7 (FFY 2010):

Data Year	3.2—Hearings (fully adjudicated)	3.2(a)—Decisions within timeline	3.2(b)—Decisions within appropriately extended timeline
2010-2011	900	620	79

FFY 2010 Measurement:

Data Year	3.2(a) + 3.2(b)	3.2	$\frac{[3.2(a) + 3.2(b)]}{3.2}$	Times 100	= Percent
2010-2011	699	900	$699/900=0.7767$	$0.7767 \times 100=77.67$	77.7%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

PRDE's sustained efforts to focus on improving the management of and compliance with the due-process hearing timelines has resulted in continued improvement with Indicator 17 compared to prior years. PRDE significantly improved performance with this indicator for FFY 2010. The percentage of due-

process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party for FFY 2010 was 77.7%, which reflects an 8.5% increase from FFY 2009. The following chart demonstrates PRDE's marked improvement with this indicator as compared over the past five years.

PRDE Performance on Ind. 17, FFY 2006-FFY 2010				
FFY 2006 APR	FFY 2007 APR	FFY 2008 APR	FFY 2009 APR	FFY 2010 APR
51.5%	50.1%	52.8%	69.2%	77.7%

To date, PRDE has been able to verify that over 99% of all due process complaints filed during FFY 2010 have been closed.

Throughout FFY 2010, PRDE's Secretarial Unit, the office which oversees due process complaint hearing requests, monitored due process hearing officers, running monthly reports reflecting each hearing officer's performance with compliance issues including the timelines of handling due process complaints. The monthly monitoring reports address a number of issues including the status of all cases assigned to the hearing officer and the number of days elapsed since the date the complaint was assigned. Complaints that have exceeded the timelines are noted, as are complaints that have had their timelines appropriately extended. Statistical reports for each judge include the number of complaints assigned and the number of complaints that have been fully adjudicated. The Secretarial Unit holds individual meetings with the hearing officers where issues regarding caseload and management of cases are discussed. Where the Secretarial Unit has determined that a hearing officer failed to properly extend a timeline, those decisions and explanations are explained during these individual meetings.

PRDE continues to see an increase in the number of due process hearing requests that were adjudicated within a properly extended timeline, which is reflective of PRDE's efforts in training its hearing officers and revising its procedures in this area.

Overall Timely Resolution of Due-Process Complaints

Indicator 17 focuses on the timeliness of due-process complaints that move forward to a hearing; however, efforts at resolving due-process complaints in a non-adversarial manner, including through resolution meetings and mediations, contribute to the overall timely resolution of due-process complaints filed. In considering the entire universe of due-process complaints filed during FFY 2010, PRDE resolved 82% of those complaints in a timely manner, a continued improvement from prior years as reflected in the table below. This calculation accounts for all complaints filed during FFY 2010 that were timely resolved, including resolution of FFY 2010 complaints that were resolved timely although after July 1, 2011 as well as complaints that were timely resolved through non-adversarial means, e.g., through resolution or mediation agreements.

Due-Process Complaints Resolved Timely Overall (including without a Hearing)				
FFY 2006 APR	FFY 2007 APR	FFY 2008 APR	FFY 2009 APR	FFY 2010 APR
53%	70%	73%	79%	82%

Analysis by Month: Overcoming Previously Identified Challenges

PRDE has recognized that there are two periods during the year that have presented special challenges to PRDE to comply with the 45-day timeline to issue resolutions: the winter holiday season and the summertime. During these periods it can be particularly difficult to summon the parties because many are on vacation for quite lengthy periods. PRDE has actively worked to combat these challenges. Beginning in FFY 2009, PRDE implemented focused efforts to produce improved results during these periods. These efforts continued in FFY 2010 and have in fact improved results.

In the FFY 2009 APR, Puerto Rico provided a chart analyzing monthly performance with timely resolution of due process complaints comparing FFY 2008 to FFY 2009. The following chart adds monthly performance from FFY 2010 and includes a cumulative comparison in monthly performance from FFY 2008 to FFY 2010. The month listed reflects the month in which the due process complaint was filed. As reflected below, PRDE has improved compliance overall during every single month of the year, with the most significant improvements occurring for the months that initially reflected the lowest performance.

Month	FFY 2008	FFY 2009	FFY 2010	Change FFY 2008 to FFY 2009	Change FFY 2009 to FFY 2010	Absolute Change FFY 2008 to FFY 2010
July	34.4%	61.9%	69%	+27.5%	+7.1%	+34.6
August	60.9%	71.4%	67%	+10.5%	-4.4%	+6.1
September	55.8%	57.1%	74%	+1.3%	+16.9%	+18.2%
October	48.0%	67.6%	73%	+19.6%	+5.4%	+25%
November	36.2%	45.2%	84%	+9.0%	+38.8%	+47.8%
December	63.5%	43.1%	88%	-20.4%	+44.9%	+25.3%
January	60.7%	80.2%	83%	+19.5%	+2.8%	+12.3%
February	69.0%	88.3%	79%	+19.3%	-9.3%	+10%
March	81.4%	88.2%	83%	+6.8%	-5.2%	+1.6%
April	62.4%	76.7%	92%	+14.3%	+15.3%	+29.6%
May	23.7%	68.7%	100%	+45.0%	+31.3%	+76.3%
June	22.9%	62.0%	100%	+39.1%	+38%	+77.1%

The most marked improvement has occurred with regard to the months in which PRDE has proactively worked to ensure improved compliance (winter holiday season and summertime). For FFY 2010, PRDE achieved 100% compliance with the timeliness requirements for due process complaints filed during May and June 2011, which reflects steady improvements from FFY 2008 to FFY 2009 and on to FFY 2010, with overall improvements of more than 75% for each of those months. Similarly, PRDE has demonstrated significant improvement with compliance with timelines for due process complaints filed during October, November, and December, the months leading into the winter holiday season. Overall improvement from FFY 2008 to FFY 2010 for these months improved by 25%, 47.8%, and 25.3%, respectively. PRDE's increased monitoring and vigilant focus on ensuring compliance during these months has certainly contributed to significant improvement in performance.

Additionally, PRDE notes the upward trend in compliance throughout the progression of FFY 2010. This reflects a systemic improvement with compliance with this requirement over time, the results of PRDE's emphasis and steadfast focus on this compliance requirement overall.

Additional Discussion of Improvement Activities

During FFY 2010, PRDE hired several new hearing officers, and all hearing officer contracts were in place by July 1, 2010 allowing them to begin work under their 2010-2011 contracts with no delays at

the start of their contract period. That all contracts were in place in time for new judges to begin working immediately on July 1, 2010 reflects PRDE's planning and focus on ensuring compliance with due process hearing timelines during FFY 2010. Hearing officers were trained on IDEA and special education requirements, including the appropriate extension of time for due process complaint resolution. Most of the newly selected judges came to PRDE with extensive experience as hearing officers with other agencies.

During FFY 2010, to ensure sustained involvement towards compliance, PRDE continued with the improvement activities outlined in the SPP, as reflected in the table below.

Activity	Discussion
1. Include due process procedures as part of the Statewide Personnel Development System to ensure personnel's' understanding and implementation of adequate processes.	PRDE, in a continuous and on-going basis, has arranged formal and informal orientations and trainings for its teachers and school personnel through its general supervisors and district supervisors. Due process is included in the trainings. Training has also been provided to the School Facilitators, who began working within the SAE structure in FFY 2010.
2. Request administrative judges to make an explanation of the reasons for resolutions being issued after 45 days timeline.	<p>There is continuous communication with the hearing officers to request written explanations for every resolution issued after the 45-day timeline that was not appropriately extended. The requirement to provide these explanations is incorporated into their yearly contracts.</p> <p>In FFY 2010, following submission of the required written explanation reports discussed immediately above, individual meetings were held with each hearing officer to discuss agency-wide compliance with this requirement as well as their individual record of compliance with this requirement. A copy of these monthly hearing officer monitoring reports, which are discussed above in the narrative, is handed to each of the judges, the Secretary of Education and the SAE.</p>
3. Continue to inform administrative judges on due process requests that are near the 45 days timeline expiration.	<p>Throughout FFY 2010, PRDE continued to send monthly reports to hearing officers alerting them of upcoming timeline expirations and asking for explanation for those cases.</p> <p>Additionally, PRDE stresses the importance of compliance with the timelines during group and individual meetings with the judges. PRDE also follows-up with judges regarding cases quickly approaching and/or past the 45-day timeline during these meetings.</p> <p>Additional monthly follow-up to the judges includes outreach via email, phone calls, and personal visits/ meetings regarding complaints that are approaching the expiration of the 45 day period.</p>

Activity	Discussion
<p>4. Continue periodic training, continuing education, for administrative law judges.</p>	<p>Several training sessions were held with the hearing officers during FFY 2010, including the following:</p> <p>July 2, 2010 - Training for newly appointed judges on laws and regulations, including the terms for issuing resolutions and appropriate extensions of time, among other topics.</p> <p>October 14 and November 12, 2010 – Compliance with Indicator #17, the appropriate extension of timelines, and other factors affecting compliance.</p> <p>March 3, 2011 - IDEA Training, and due process administrative hearing updates.</p> <p>July 7 and 12-13, 2011 - Discussion of the Report on the Administrative Work of Administrative Judges of Special Education (i.e., the monthly Secretarial Unit monitoring reports of hearing officer caseloads discussed above) and individual and group compliance with the procedure of administrative hearings during FFY 2010.</p>
<p>5. Encourage and publicize resolution session option to complainants.</p>	<p>There is an information sheet on the availability of resolution meetings at the service centers; it is also provided when parents are filing a due process complaint. PRDE personnel encourage the use of the resolution meeting as an alternative for solving any dispute. Resolution meeting facilitators (staff responsible for holding the resolution sessions) are located at the service centers for parents' easy access and closeness to the schools and school districts.</p> <p>As a part of the registration process, parents are provided a copy of and an orientation to review the procedural safeguards and parents' rights. This document is on PRDE's website, and the information is included in SAE's Procedures Manual. SAE's website now has a section dedicated to Due Process.</p> <p>PRDE has developed and provides a brochure on options to complainants, such as resolution meetings, medication, and due process hearings. As discussed regarding mediations (see Indicator 19), this brochure is being reviewed and discussed with the RLV plaintiff class.</p>
<p>6. Re-train personnel on the due process procedures including the newly incorporated Resolution Meeting processes.</p>	<p>The Resolution process has been fully integrated into the service structure of PRDE.</p> <p>Re-trainings continue island-wide.</p>

Activity	Discussion
7. Review and amend contracts to be used with the administrative judges to specifically include compliance with timeline requirements.	The contracts were revised to include a clause requiring full compliance with IDEA 45 day timeline for due process complaint resolution, including the appropriate timelines extension. The contracts are renewed every year and include this clause.
8. Include in the information system a system for issuing alerts identifying due process cases that are approaching the end of their timelines.	<p>The information system that supports the due process procedures was modified in FFY 2008 to create reports indicating timeline compliance status. PRDE SAAE developed a manual for proper operation of the information system, a manual with both technical and procedural aspects of data entry and validation.</p> <p>PRDE programmers are preparing to incorporate additional enhancements to the system. Their work is currently awaiting recommendations from the experts newly appointed by the court in the RLV case, as well as the recommended updates from the RLV plaintiff class.</p>
9. Conduct a needs study to determine training area needs for administrative judges.	PRDE continuously seeks and obtains input from the hearing officers regarding their training area needs and requests. Input was received from the hearing officers in all of the meetings and training sessions PRDE conducted and arranged for them. PRDE's training schedule and training session agendas reflect the feedback received.
10. Train administrative judges on the requirements for proper time extensions for the 45-day timeline, along with other topics, in accordance with the needs study discussed above.	As discussed above, the hearing officers have been trained, as they requested through a previous needs study, in regards to the proper extension of the 45-day timeline and other matters. Additionally, as discussed in relation to other activities above, trainings were also held regarding the requirements of IDEA more broadly and administrative hearing procedural matters, etc.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision
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Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = (3.1(a) divided by 3.1) times 100.
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FFY	Measurable and Rigorous Target
FFY 2010 2010-2011	51.5%

Actual Target Data for FFY 2010: 61.5%

During FFY 2010, 61.5% (375/610) of resolution sessions resulted in settlement agreements as reported in Table 7.

FFY 2010 Measurement:

Data year	3.1(a) Settlement Agreements	3.1 Resolutions Sessions Held	3.1(a) Divided by 3.1	= Percent
2010-2011	375	610	375/610 = 0.6147	61.5%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

During 2010-2011, 610 resolution sessions were held, 375 of which resulted in settlement agreements. As a result, 61.47% of hearing requests that went to resolution sessions were resolved through a resolution settlement agreement. PRDE's FFY 2010 results for indicator 18 very closely mirror PRDE's FFY 2009 results, 61.97%. PRDE met its FFY 2010 measurable and rigorous target of 51.5%. A copy of Puerto Rico's FFY 2010 Table 7 is included with this APR submission as Attachment C.

In FFY 2008, PRDE began conducting informal parental satisfaction surveys to gather participant feedback regarding the dispute resolution process. For FFY 2009, PRDE continued having mediation participants complete satisfaction surveys to obtain such feedback. In FFY 2010, PRDE made revisions to its survey to improve its usability. Details regarding these revisions are included below in the improvement activities table.

Of the parents surveyed during FFY 2010, 56% felt listened to, 80% felt respected, and 66% felt engaged in the discussion and decision making process. Regarding special education staff involved in the resolution process, 73% of those surveyed indicated the staff involved demonstrated the necessary knowledge and management of the subject matter—both generally and case-specific. Only 5% of those surveyed reported that they were not satisfied with the resolution meeting process.

Activities	Discussion
<p>1. Visits to the CSEEs to monitor the implementation of the resolution meetings and supervise the investigators' work.</p>	<p>The SAE Monitoring Unit made formal on-site monitoring visits during FFY 2009 to all CSEEs, including each CSEE's Resolution Meeting Division. Two findings of non-compliance were identified during these visits and, as such, are included in Puerto Rico's FFY 2010 B-15 Worksheet (see Indicator 15). In FFY 2010, the Monitoring Unit held follow-up visits and, in accordance with its monitoring procedures, verified that both of these findings had been corrected within a year of identification.</p> <p>Additionally, central level staff maintains regular contact with the Resolution Meeting Investigators located at the CSEEs—including communications via email, phone calls, and on-site visits.</p>
<p>2. Meetings with the resolution meeting investigators/facilitators to review any challenges they are facing and clarify doubts about the process and their responsibility.</p>	<p>Individual teleconferences and technical assistance activities were carried out throughout the reporting period. During the teleconferences, PRDE provided technical assistance follow-up regarding compliance with timelines, status of cases, and provided consultation regarding the resolution of issues pending in cases in the resolution process.</p>
<p>3. Monitor and ensure timeliness of resolution sessions to include tracking timelines through the designed computer system.</p>	<p>The Secretarial Unit is in charge of overseeing the management of due process complaints, and as such, their data management system maintains resolution session data as well.</p> <p>As mentioned in the discussion of Activity #1 above, the SAE Monitoring Unit monitored the Resolution Meeting Divisions at each of the CSEEs during FFY 2009. The CMU utilizes information from the Secretarial Unit's data management system in preparing for and carrying out their monitoring of the CSEE Resolution Meeting Divisions.</p>

Activities	Discussion
4. Continue to design and provide trainings to the investigators/facilitators to further train them in dispute resolution and conflict management.	PRDE continued this activity, meetings were held with mediators and conciliators. They were also included in the Administrator's Workshop. Additionally, the MCU provided technical assistance during monitoring visits.
5. Continue to design and provide training to all other relevant personnel (including process, forms, best practices, etc.).	See progress reported for activity # 4 above.
6. Recruit and hire new investigators as the positions open.	PRDE is able to manage the resolution process with the existing personnel and staffing levels.
7. Offer training to all special education teachers around the Island.	Such training is on-going.
8. Implement parental evaluation regarding the resolution session experience.	During FFY 2010, PRDE revised the parental evaluation / satisfaction survey to make it more user-friendly and to improve its overall usefulness. Additionally, the revisions were designed to allow PRDE to systemize tabulation of the responses. Please see the discussion above

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision
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Indicator 19: Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.

FFY	Measurable and Rigorous Target
FFY 2010 2010-2011	65%

Actual Target Data for FFY 2010: 93.2%

Data from Table 7 (FFY 2010) Used for Measurement

Data Year	2.1(a)(i) – Agreements Reached in Mediations Related to Due Process	2.1(b)(i) – Agreements Reached in Other Mediations (not Related to Due Process)	2.1 – Total Number of Mediations
2010-2011	263	38	323

Measurement

Data Year	2.1(a)(i) + 2.1(b)(i)	Divided by 2.1	Multiplied by 100	Percentage/Measurement
2010-2011	301	301/323 = 0.9319	0.9319 x 100 = 93.19	<u>93.2%</u>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

During FFY 2010, 301 of the 323 mediations held (93.2%) resulted in mediation agreements. Two hundred sixty-three of the mediations resulting in agreements were related to due process hearings; the remaining 38 mediations resulting in agreements were not related to due process complaints. Puerto Rico exceeded its FFY 2010 target (65%) and increased its FFY 2009 rate of mediations resulting in mediation agreements (73.97%).

PRDE has in place procedures to resolve controversies regarding special education services through mediation. PRDE's mediation procedures allow parents and the agency to resolve a controversy with the intervention of an impartial mediator, on a voluntarily basis. In Puerto Rico, mediation can be requested as part of a due process complaint hearing request or by itself, outside of the filing of a due process complaint. Both alternatives require the identification of a mediator and scheduling mediation meetings in a timely manner.

When mediation is requested as part of a due process request, the process is overseen by the Secretarial Unit. The mediation option is included on the model due process complaint form. When a party enters the mediation process in this manner, the Secretarial Unit receives the mediation request and enters the data into a database to keep track of the process. Once the mediation meetings have occurred, the mediator informs the Secretarial Unit of the results of the meetings, and the Administrative Law Judge (Hearing Officer) is informed in order to continue with the due process procedures accordingly. Mediation procedures under this alternative must take place within the due process timelines. If an agreement is not reached during the mediation, the hearing shall proceed, and a decision reached within the 45-day term.

When mediation is requested outside of a due process complaint, the Secretarial Unit is also in charge of the process of receiving, entering the data, and tracking the progress of the mediation. These mediations do not face the time constraints of those entered within the realm of a due process complaint.

Information regarding the mediation option is also available on the PRDE website as well as in the PRDE SAEF Procedures Manual.

The following chart provides information on the accomplishments, progress, and slippages of the activities proposed in the SPP for the implementation of this indicator.

Activity	Discussion
1. Include mediation as part of the statewide Personnel Development System to ensure adequate comprehension and implementation of mediation process.	PRDE, in a continuous and on-going basis, has arranged formal and informal orientations and trainings for its teachers and school personnel through its general supervisors and district supervisors. Mediation is included in the trainings.

Activity	Discussion
2. Disseminate mediation process to schools and public.	<p>During FFY 2009, PRDE approved a new <i>Procedures Manual for the Secretarial Unit</i>, as well as new model forms for filing a due process complaint and requesting a mediation not related to a due process complaint. As reported in the FFY 2008 APR, final approval of these documents required review by and discussion with the Rosa Lydia Velez plaintiffs' class. Many meetings and administrative hearings were held to reach an agreement, and in December 2009, the class and PRDE finally approved the new manual and applications.</p> <p>Since the approval of the new manual, SAEI has used this procedures manual to help guide its activities and help to ensure that it implements its mediation process in a uniform manner across the island.</p> <p>When a parent registers a child for special education, be it in the school or the CSEE, an orientation is provided which includes an overview of the mediation process. Additionally, PRDE distributes a brochure regarding the mediation process across the schools, CSEEs, and districts; and, the PRDE Parent Assistance Unit conducts activities promoting the mediation option.</p> <p>PRDE has continued dissemination efforts through informational meetings at the CSEEs in collaboration with the CSEE, Parents Unit, and district social workers, and APNI (PR PTA).</p>
3. Include mediation as part of the focused monitoring system.	The PRDE Secretarial Unit for Provisional Remedy handles monitoring/oversight of the mediation program and process.
4. Encourage and publicize mediation options.	See progress reported for activity # 2 above.
5. Provide on-going training to mediators.	PRDE continues to provide on-going training for mediators.
6. Collect evaluation feedback from mediators and mediation participants.	During FFY 2010, PRDE decided that collection of evaluation feedback was not necessary at that time. PRDE is considering the usefulness and approach to collecting evaluation feedback for FFY 2011.
7. Analyze evaluation feedback materials to help identify mediation skills that enhance likelihood of mediation resulting in agreement.	See progress reported for activity # 6 above.

Activity	Discussion
8. Schedule Mediations in a timely manner.	<p>In the past, scheduling mediations in a timely manner was sometimes problematic due to the lack of staff in the office managing mediations and because of the high volume of due process complaints filed. However, since the implementation of the resolution process, the volume of mediations has decreased because parents now have another process to sort out disputes regarding special education services.</p> <p>For FFY 2010, PRDE did not experience any difficulties regarding the timely coordination of mediations.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

State reported data, including 618 data, State Performance Plan, and Annual Performance Reports, are:

- a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel and dispute resolution; and February 1 for Annual Performance Reports and assessment); and
- b. Accurate, including covering the correct year and following the correct measurement.

States are required to use the “Indicator 20 Scoring Rubric” for reporting data for this indicator (see below).

FFY	Measurable and Rigorous Target
FFY 2010 (2010-2011)	100%

Actual Target Data for FFY 2010: ~~95~~100-02%

PRDE has computed its actual target data for the FFY 2010 APR in accordance with the OSEP tables for Indicator 20 Data Rubric. The completed tables appear below.

SPP/APR Data - Indicator 20			
APR Indicator	Valid and Reliable	Correct Calculation	Total
1	1		1
2	1		1
3A	1N/A	1N/A	20
3B	1	1	2
3C	1	1	2
4A	1	1	2
4B	1N/A	1N/A	20
5	1	1	2
7	1	1	2
8	1	1	2
9	N/A	N/A	0
10	N/A	N/A	0
11	1	1	2
12	1	1	2
13	1	1	2
14	1	1	2
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
		Subtotal	326
APR Score Calculation	Timely Submission Points - If the FFY 2009 APR was submitted on-time, place the number 5 in the cell on the right.		5
	Grand Total - (Sum of subtotal and Timely Submission Points) =		4437.00

618 Data - Indicator 20					
Table	Timely	Complete Data	Passed Edit Check	Responded to Data Note Requests	Total
Table 1 - Child Count Due Date: 2/1/10	1	1	1	N/A	3
Table 2 - Personnel Due Date: 11/1/10	1	1	1	N/A	3
Table 3 - Ed. Environments Due Date: 2/1/10	1	1	1	N/A	3
Table 4 - Exiting Due Date: 11/1/10	1	1	1	N/A	3
Table 5 - Discipline Due Date: 11/1/10	1	1	1	N/A	3
Table 6 - State Assessment Due Date: 2/1/11	1	N/A	N/A	N/A	1
Table 7 - Dispute Resolution Due Date: 11/1/10	1	1	1	N/A	3
Table 8 – MOE/CEIS Due Date: 5/1/11	1	N/A	N/A	N/A	1
				Subtotal	1920
618 Score Calculation			Grand Total (Subtotal X 2.045443) =		40.9172

Indicator #20 Calculation	
A. APR Grand Total	4437.00
B. 618 Grand Total	40.9172
C. APR Grand Total (A) + 618 Grand Total (B) =	84.7277.91
Total N/A in APR	48
Total N/A in 618	4.09080
Base	77.9186.00

D. Subtotal (C divided by Base*) =	1.0.950
E. Indicator Score (Subtotal D x 100) =	10095.02

* Note any cell marked as N/A will decrease the denominator by 1 for APR and 2.045443 for 618

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

PRDE achieved 10095.02% on Indicator 20. This is an ~~slight decrease~~increase from PRDE's FFY 2009 measurement of 97.78%. PRDE achieved the mandatory 100% target ~~for~~remains in substantial compliance with this indicator.

618 Data Collection and Validation Activities

Most of the data required by Section 618 of IDEA are submitted through Ed Facts. The data manager from PRDE works closely with the Ed Facts coordinator to compare requirements received from OSEP to the requirements received from Ed Facts. Counts created by Ed Facts staff and the PRDE data manager are compared. When the counts reconcile, the PRDE data manager approves the Ed Facts reports for submission. If they do not reconcile, staff work together to discover and rectify the sources of any discrepancy.

APR Data Collection and Verification Activities

To learn of changes to data reporting requirements and/or new data reporting requirements as soon as possible, the PRDE data manager participates in the DAC/OSEP technical assistance calls, attends the OSEP meetings that include data as a topic, and participates in online discussions with other members of the data managers' listserv. Also, PRDE has received extensive technical assistance from the Data Accountability Center (DAC). Validation activities include electronic edit checks in the databases. Verification efforts included comparing data from the system to data recorded manually from all of the service centers and school districts

To credibly report progress toward intended results and to enable performance-informed decision-making, PRDE needs to ensure that data are accurate, reliable, and valid. Verification includes assessing data completeness, accuracy, and consistency and related quality control practices. Validation is the assessment of whether the data are appropriate to measure performance.

PRDE requires the full implementation of data verification and validation criteria to ensure that information is properly collected, recorded, processed, and aggregated for reporting and use by decision makers. The work consists of a variety of methods to assess and verify data accuracy and timeliness issues. For example, PRDE:

- Performed quality checks of submitted data to identify common errors.
- Provided technical assistance to target these common errors and provide guidance on how to report correctly problematic data elements; i.e., data fields.
- Worked closely with CSEEs, districts, and/or schools that have had problems with reporting accurate data.
- Tracked data on an on-going basis and reviewed monthly to determine if action points in the process are needed.

During the 2010-2011 school year, PRDE staff continued and expanded validity testing as part of the overall submission process. Districts/Schools have several opportunities within each reporting period to examine error reports and correct student data. The electronic data validations and error reports will continue in the future. Through continued training and targeted technical assistance, PRDE expects to

continually increase the reliability and validity of the data. PRDE will increase its activities designed to identify Districts/Schools that have questionable data and require these Districts/Schools to examine their data and their practices to either verify the data as submitted are correct or correct data entry or submission errors.

Trainings conducted in 2010-2011 included detailed instructions on both reporting of individual student special education data and the intended use of the data for the submission of Part B Indicators. Trainings were hosted and attended by regional personnel, District Superintendents, and CSEE staff who will provide technical assistance on issues regarding data. Increased and updated training will be provided during the 2011-2012 school year to address specific areas of concern with validation of data.

As discussed throughout the APR, in FFY 2010 PRDE employed School Facilitators. Collaboration with them has been key to obtaining data for this indicator which impacts other indicators as well.

Activities	Discussion
1. Continue to train special education personnel and other related staff in the new data based information system.	See discussion above. This is a continuous activity. These trainings are attended by new teachers, directors and other new personnel, including school facilitators.
2. Continue with implementation of our data base information system island wide.	<p>Throughout 2010-2011, PRDE continued implementation of the database information system island wide. PRDE is continuing its efforts to build the technological culture, including comfort level with SEASWeb, throughout PRDE.</p> <p>PRDE's Special Education Data Unit has made collaboration with other units of the Special Education Office a priority in order to ensure the ongoing work with the data based information system. PRDE will continue to ensure integrated monitoring activities.</p>
<p>3. Incorporate new elements to the data system to improve in our data collection and reporting (Transportation, Assistive technology, Appointments coordination)</p> <p>Complaints / Due Process Hearings</p>	<p>As discussed in the APR Supplemental Report, over the past year (FFY 2010), PRDE has enhanced its electronic tracking of assistive technology equipment orders from initial order through to delivery. This was a significant data collection accomplishment for PRDE in FFY 2010.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

PRDE is not proposing any revisions to its proposed targets, improvement activities, timelines, or resources at this time. However, PRDE reserves the right to adjust its baseline and targets in the future as necessary to ensure meaningful performance reports.

List of Acronyms

1. AA-AAS- Alternative Assessment against Alternate Achievement Standards
2. AAFET- *La Administración para el Adiestramiento de Futuros Empresarios y Trabajadores* (Administration for the Training of Future Business Owners and Workers)
3. APNI- *Asociación de Padres con Niños con Impedimentos* (Association of Parents of Children with Disabilities)
4. APR- Annual Performance Report
5. AT (assistive technology)
6. CAAT- *Comité Asesor de Asistencia Tecnológica* (Assistive Technology Advisory Committee)
7. CASA- *Proyecto Casa (ASPIRA)*
8. CrEAG - Critical Elements Analysis Guide
9. CSEE- *Centros de Servicio de Educación Especial* (Special Education Service Center)
10. CSPR- Consolidated State Performance Report
11. DAC- - Data Accountability Center
12. ED- United States Department of Education
13. FFY- Federal Fiscal Year
14. IDEA- Individuals with Disabilities Education Improvement Act
15. IEP- Individualized Education Program
16. MCU- Monitoring and Compliance Unit
17. MOA- Memorandum of Agreement
18. MOU- Memorandum of Understanding
19. NSTTAC- National Secondary Transition and Technical Assistance Center
20. OPPI- Puerto Rico Office of the Advocate for Persons with Disabilities
21. OSEP- Office of Special Education Programs
22. PCARDS- Purchase Cards
23. PPAA- *Pruebas Puertorriqueñas de Aprovechamiento Académico*
24. PPEA- *Pruebas Puertorriqueñas de Evaluación Alterna*
25. PRDE- Puerto Rico Department of Education
26. PRDH- Puerto Rico Department of Health
27. RLV- Rosa Lydia Vélez
28. SAEE - *Secretaría Asociada de Educación Especial* (PRDE Office of the Associate Secretary of Special Education)
29. SEA- State Educational Agency
30. SEASWEB- PRDE's Special Education Data Sytem
31. SELD- PRDE Special Education Legal Division
32. SERRC- Southeast Regional Resource Center
33. SIFDE- *Sistema de Información Financiera del Departamento de Educación* (Department of Education Financial Information System, PRDE's financial system)
34. SIS- Student Information System
35. SPP- State Performance Plan
36. TA- Technical Assistance